



AGENDA
TAVARES CITY COUNCIL
May 3, 2023
4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 E MAIN STREET, TAVARES

(Members of the public wishing to speak on an item that is on the agenda must fill out a Request to Speak form available from the City Clerk or at the Council Meeting prior to the meeting being called to order. In addition, the Mayor will ask for comment under the agenda item titled "Audience to be Heard" for matters not on the Agenda. For further information contact the City Clerk at (352) 742-6209 or snovack@tavares.org)

I. CALL TO ORDER

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1 Pastor Brooks Braswell, Umatilla Baptist Church

III. APPROVAL OF AGENDA

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2 Proclamation - National Public Works Week (Mayor)

V. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO RECORD

VII. CONSENT AGENDA

Tab 3 Approval of the April 19, 2023, Tavares City Council Meeting Minutes (City Clerk)

VIII. RESOLUTIONS

Tab 4 Approve Resolution 2023-06 Authorizing Continued Participation in the Lake County Community Development Block Grant Program

IX. ORDINANCES - PUBLIC HEARING

First Reading

Tab 5 Ordinance 2023-09 - S&S Holdings of Florida LLC / SHREE SAI 9 Inc. - Annexation & Rezoning of Approximately 0.44 Acres Located

- at 15226 & 15236 Old US Hwy 441 (Community Development)
- Tab 6 Ordinance 2023-10 - S&S Holdings of Florida LLC / SHREE SAI 9 Inc. - SSFLUM Amendment of Approximately 0.44 Acres Located at 15226 & 15236 Old US Hwy 441 (Community Development)
- Tab 7 Ordinance 2023-01 - TPO-FL, LLC - Rezoning of Approximately 01.05 Acres Located South of Madison Street, West of Orange Avenue (Community Development)
- Tab 8 Ordinance 2023-02 - TPO-FL, LLC - SSFLUM Amendment of Approximately 01.05 Acres Located South of Madison Street, West of Orange Avenue (Community Development)

Second Reading

- Tab 9 Ordinance 2023-08 - Dissolution of the Leela Reserve Community Development District (Community Development)

X. GENERAL GOVERNMENT

- Tab 10 Renewal of Automatic Aid Agreement for Fire Protection and Other Emergency Services Between the City of Tavares and the City of Leesburg (Fire)
- Tab 11 Wooton Wonderland Playground Dedication Plaque (Public Works)
- Tab 12 Update on Tavares-Mount Dora Trail (City Administrator)
- Tab 13 Lake County Joint Planning Work Group with Cities (Community Development)

XI. NEW BUSINESS

XII. OLD BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

- Tab 14 City Administrator Report
- Tab 15 City Council Member Reports

XV. ADJOURNMENT

F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352) 742-6209.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 1

SUBJECT TITLE: Pastor Brooks Braswell, Umatilla Baptist Church

OBJECTIVE:

Pastor Brooks Braswell, Umatilla Baptist Church, will provide the invocation and lead those present in the Pledge of Allegiance.

SUMMARY:

Pastor Brooks Braswell, Umatilla Baptist Church, will provide the invocation and lead those present in the Pledge of Allegiance.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 2

SUBJECT TITLE: Proclamation - National Public Works Week (Mayor)

OBJECTIVE:

For the Mayor to read a proclamation declaring May 21 through 27, 2023 as National Public Works Week, with adoption by the City Council.

SUMMARY:

The dedicated efforts of public works professionals, who are responsible for the efficient operation of public works systems and programs such as streets and highways, public buildings, solid waste collection, parks and canal maintenance, water and sewers, are of vital importance to the public health, high quality of life and well-being of the people of the City of Tavares.

OPTIONS:

1. For the Mayor to read the Proclamation declaring May 21 through 27, 2023 as National Public Works Week, with adoption by the Council.
2. Do not approve the Proclamation.

STAFF RECOMMENDATION:

Option 1, For the Mayor to read the Proclamation declaring May 21 through 27, 2023 as National Public Works Week, with adoption by the Council.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Proclamation - National Public Works Week

Attachments not provided are available to the public upon request to the City Clerk.



PROCLAMATION

**National Public Works Week
May 21-27, 2023**

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to communities; and

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals; and

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in the City of Tavares to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs; and

WHEREAS, the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE, the Tavares City Council does hereby proclaim May 21 through 27, 2023 as

NATIONAL PUBLIC WORKS WEEK

And, call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions that public works officials make every day to our health, safety, comfort, and quality of life.

PASSED AND DULY ADOPTED by the Tavares City Council on this 3rd Day of May 2023.

Walter B. Price, Sr., Mayor

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 3

SUBJECT TITLE: Approval of the April 19, 2023, Tavares City Council Meeting Minutes (City Clerk)

OBJECTIVE:

To consider approval of the April 19, 2023, City Council meeting minutes.

SUMMARY:

Attached are the April 19, 2023, City Council meeting minutes as submitted by the City Clerk.

OPTIONS:

1. Move to approve the City Council meeting minutes under the Consent Agenda.
2. Move to approve the City Council meeting minutes with corrections.

STAFF RECOMMENDATION:

For Council approval.

FISCAL IMPACT:

None.

LEGAL SUFFICIENCY:

Yes.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. 04-19-2023 CC Minutes

Attachments not provided are available to the public upon request to the City Clerk.



**TAVARES CITY COUNCIL
MEETING MINUTES
APRIL 19, 2023 – 4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 EAST MAIN STREET, TAVARES**

COUNCIL MEMBERS PRESENT

**Walter Price, Mayor
Sandy Gamble, Vice Mayor
Bob Grenier, Council Member
Lori Pfister, Council Member
Troy Singer, Council Member**

STAFF PRESENT

**John Drury, City Administrator
Lindsay Holt, City Attorney
Susie Novack, City Clerk
Mike Fitzgerald, Community Development Director
Scott Aldrich, Community Services Director
Bob Tweedie, Economic Development Director
Lori Houghton, Finance Director
Richard Keith, Fire Chief
Crissy Bublitz, Human Resources Director
James Dillon, Public Works Director
Mark O'Keefe, Public Communications Director
Jon Hall, Police Captain
Phil Clark, Utilities Director**

I. CALL TO ORDER

Mayor Price called the meeting to order at 4:00 p.m. He asked those who wished to speak on an agenda item to complete and submit a Request to Speak form.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1. Pastor Greg Watts, Liberty Church Tavares

Pastor Greg Watts, Liberty Church Tavares, provided the invocation and led those present in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mayor Price asked for any changes to the Agenda. Mr. Drury said he would like to add Tab 2A, a presentation on a tax aid senior program at the Tavares Library.

MOTION

Troy Singer moved to approve the Agenda with the addition of Tab 2A, seconded by Sandy Gamble. The motion carried unanimously 5-0.

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2. Proclamation – Nurses Week

Mayor Price made the following presentation:

Josh Goergen, AdventHealth Government Advocacy Manager, requested the City pass a Proclamation in celebration of National Nurses Week from May 6th – May 12th. From assisting with life-threatening ER crises to delivering babies and caring for the elderly in their last moments, nurses perform some of the most difficult and heartbreaking tasks in the medical world. As workers who perform the most essential healthcare tasks, nurses serve as the first point of contact for most patients. National Nurses Week honors their contributions and sacrifices and reminds us to thank the medical professionals who keep us healthy. It is celebrated between May 6, National Nurses Day, and May 12, the birth date of celebrated nurse Florence Nightingale.

Mayor Price read a Proclamation in recognition of National Nurses Week, May 6 through 12, 2023, in honor of the Nurses and their many contributions and sacrifices. Mayor Price presented the Proclamation to Mr. Goergen.

Mr. Goergen thanked the Council and said he looks forward to working with the City in the future.

MOTION

Troy Singer moved to approve the Proclamation, seconded by Lori Pfister. The motion carried unanimously 5-0.

2A. Tax Aid for Seniors Program

Sandy Minkoff provided an update on the Tax Aid Program hosted by the Tavares Library. He said Library Director Rebecca Campbell invited his organization, comprised of volunteers, to assist area residents with e-file tax returns at no cost. Mr. Minkoff noted

the program was IRS funded and available to all ages. He said 497 tax returns were completed. He commended the Tavares Library Staff and said the program would like to return the following year.

The Council thanked Mr. Minkoff.

Tab 3. Proclamation – National Library Week

Mayor Price made the following presentation:

National Library Week is an event sponsored by the American Library Association (ALA) and observed in libraries across the country each April. It is a time to celebrate our nation's libraries, library workers' contributions, and promote the support and use of all types of libraries - school, public, and academic.

National Library Week 2023 will be celebrated with the theme "There's More to the Story". Most people know about the wealth of stories available at the library, from picture books and large print to audiobooks and E-books. But there's so much more to the story of libraries. Libraries are welcoming spaces that bring communities together for entertainment, education, and connection. The Tavares Public Library offers a wide array of programs, classes and resources, including concerts, tax help, and a "Digital Library" available 24/7 covering a wide variety of topics ranging from career assistance and continuing education to lifelong learning and online homework help.

Mayor Price read a Proclamation in recognition of National Library Week, April 23 through 29, 2023, in its entirety.

Library Director Rebecca Campbell recognized the staff, Library Board members, and volunteers in the audience as follows: Library Operations Specialist Ann Massaro, Library Catalog Technician April Mazak, Library Reference Assistant Marli Lopez, AARP Tax Volunteer Kathy Czyrnik, Library Board Member Erika Buigas, and Library Board Member Michael Watkins.

Council Member Grenier read a letter from a visitor in Anchorage, Alaska thanking the Library Staff for making their first trip to Florida a delight and stated the Tavares Public Library was a 'gem.'

Council Member Grenier noted the Friends of the Library scheduled a celebration for National Library Week on Thursday April 27, 2023 from 11:00 a.m. to 12:00 noon in the Library Expansion Room. He invited those present to join in the festivities.

MOTION

Bob Grenier moved to approve the Proclamation, seconded by Lori Pfister. The motion carried unanimously 5-0.

Tab 4. Tavares Chamber of Commerce Update

Erika Buigas, President/CEO of the Tavares Chamber of Commerce, updated the Council on Chamber activities. She thanked Mayor Price for serving as a judge at a recent Tavares High School Incubator Program competition. Ms. Buigas noted the April and May business luncheons would be held at the Tavares Pavilion on the Lake due to construction at the Civic Center. She said the annual golf tournament was scheduled for June 16, 2023, and more information would be forthcoming.

V. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

Attorney Holt said there were two quasi-judicial matters before the Council for consideration; Tab 7 (Ordinance 2023-06), and Tab 8 (Ordinance 2023-07). She swore in those present who wished to provide testimony.

Attorney Holt asked the Council to disclose any exparte communications. There were none.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following Ordinances by title only:

ORDINANCE 2023-05

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE FOLLOWING SECTIONS OF THE CITY LAND DEVELOPMENT REGULATIONS; CHAPTER 13 ENVIRONMENTAL, SECTION 13-30 DETERMINATION OF THE ZONE OF EXCLUSION AND WELLFIELD PROTECTION AREA, SECTION 13-31 RESTRICTIONS ON DEVELOPMENT, SECTION 13-32 RESTRICTIONS ON SITING OF NEW PUBLIC WATERWELLS, SECTION 13-33 EXEMPTIONS; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2023-06

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 04.75 ACRES OF PROPERTY LOCATED NORTH OF LANE PARK CUTOFF, EAST OF STATE ROAD 19, FROM PUBLIC FACILITIES DISTRICT (PFD) TO INDUSTRIAL DISTRICT (I); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2023-07

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 04.75 ACRES OF PROPERTY FROM PUBLIC FACILITY / INSTITUTIONAL (PUB) TO INDUSTRIAL (IND) FOR PROPERTY LOCATED NORTH OF LANE PARK CUTOFF, EAST OF STATE ROAD 19; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2023-08

A NON-EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA PROVIDING FOR THE DISSOLUTION OF THE LEELA RESERVE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO SECTION 190.046(10), FLORIDA STATUTES; PROVIDING FOR THE TERMINATION OF ALL THE COMMUNITY DEVELOPMENT SERVICES OF THE LEELA RESERVE COMMUNITY DEVELOPMENT DISTRICT IN ACCORD WITH A PLAN OF TERMINATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

VII. CONSENT AGENDA

Mayor Price asked if anyone wished to pull an item from the Consent Agenda for discussion.

MOTION

Bob Grenier moved to approve the Consent Agenda [Tab 5. Approval of the April 5, 2023, City Council Meeting Minutes], seconded by Sandy Gamble. The motion carried unanimously 5-0.

Tab 5. Approval of the April 5, 2023, City Council Meeting Minutes

Approved on the Consent Agenda.

VIII. RESOLUTIONS

IX. ORDINANCES – PUBLIC HEARING

First Reading

Tab 6. Ordinance 2023-08 - Dissolution of the Leela Reserve Community Development District

No discussion at First Reading.

Second Reading

Tab 7. Ordinance 2023-06 - Adventure Christian Church - Rezoning of Approximately 04.75 Acres Located North of Lane Park Cutoff, East of State Road 19

Mr. Fitzgerald made the following presentation:

The subject property consists of approximately 04.75 acres of property addressed as 1650 Lane Park Cutoff, located north of Lane Park Cutoff, east of SR-19. The property is currently zoned as Public Facilities District (PFD) through Ordinance 1996-20 approved on July 10, 1996. The applicant, Adventure Christian Church, is proposing that the property be rezoned to Industrial District (I).

Ordinance 1996-20 limits the allowable uses of the subject property to a church, school, and daycare facility. The property currently contains one (1) existing building that was being used by Adventure Christian Church as a daycare. The applicant wishes to sell the property, and therefore is proposing a rezoning of the property to industrial to change the allowable uses and make it more marketable. The proposed zoning of Industrial District (I) is compatible with the surrounding zoning, which is a mixture of residential, commercial, industrial, and Public Facilities zoning. The proposed industrial zoning is consistent with the city's economic development initiatives.

Prior to any redevelopment of the property, the property owner must comply with the City's Land Development Regulations. Prior to the issuance of any Building Permits for this property, compliance with all applicable regulations will be required.

The City is concurrently processing a future land use map amendment to re-designate the property from Public Facility / Institutional (PUB) to Industrial (IND) on the Future Land Use Map 2040.

At their March 16th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2023-06.

Staff recommends Option 1, that City Council moves to approve Ordinance 2023-06 rezoning approximately 04.75 acres of property located north of Lane Park Cutoff, east of SR-19 from Public Facilities District (PFD) to Industrial District (I).

Morris Osbourne, 13701 Centralia Road, Brooksville, said he was present on behalf of Adventure Christian Church. He said he is a land use attorney who served on the City's Planning and Zoning Board for seven years before moving to Brooksville. Mr. Osborne

said the Church closed the academy during Covid and moved the learning center to the academy buildings.

Council Member Singer asked if the current zoning is subject to property taxes. Mr. Fitzgerald said the property had a religious tax exemption.

MOTION

Lori Pfister moved to approve Ordinance 2023-06, seconded by Sandy Gamble.

Council Member Singer said the majority of the area was industry and noted his support.

Mayor Price noted the existing building was metal and suited for industrial use.

The motion carried unanimously 5-0.

Tab 8. Ordinance 2023-07 - Adventure Christian Church - Small Scale FLUM Amendment of Approximately 04.75 Acres Located North of Lane Park Cutoff, East of State Road 19

Mr. Fitzgerald made the following presentation:

The subject property is located at 1650 Lane Park Cutoff, north of Lane Park Cutoff, east of State Road 19, and is approximately 04.75 acres in size. The land presently has one (1) building and has a land use designation of Public Facility / Institutional (PUB). The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Public Facility / Institutional (PUB) to Industrial (IND).

Ordinance 2023-07 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Public Facility / Institutional (PUB) to Industrial (IND).

The subject property is adjacent to a mixture of a mixture of residential, commercial, industrial, and public facilities uses. An application to rezone this property to an Industrial District (I) designation is concurrently under consideration.

The city is required to place a future land use designation on annexed property. The subject property is currently designated Public Facility / Institutional (PUB). An Industrial (IND) designation is compatible with surrounding property and County Future Land Use.

Land surrounding this property is residential, commercial, industrial, and public facilities in nature.

The property currently contains one (1) building.

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1. An Industrial (IND) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)*

At their March 16th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2023-07.

Staff recommends Option 1, that City Council moves to approve Ordinance 2023-07, a Future Land Use Map amendment from Public Facility / Institutional (PUB) to Industrial (IND) for 04.75 acres located north of Lane Park Cutoff, east of State Road 19.

Mayor Price asked for comments from the Council. There were none.

MOTION

Sandy Gamble moved to approve Ordinance 2023-07, seconded by Lori Pfister. The motion carried unanimously 5-0.

Tab 9. Ordinance 2023-05 - Land Development Regulation Amendment - Chapter 13 - Environmental

Mr. Fitzgerald made the following presentation:

Chapter 13 of the City of Tavares Land Development Regulations provides protective measures to ensure environmental preservation as well as safeguards for the city's principal source of water. Pursuant to the Florida Department of

Environmental Protection (FDEP) Ground Water Protection Measures in Wellhead Protection Areas and Water Well Permitting and Construction Requirements, Chapter 13 Sections 13-30, 13-31, 13-32, 13-33 are proposed to be amended. Some key highlights include amending the wellfield protection area, expanding restrictions on types of development within the wellfield protection area, amending restrictions on the siting of new public water wells, and expanding certain exemptions. The proposed changes to Chapter 13 of the city's Land Development Regulations shall bring the chapter into compliance with Florida Administrative Code Chapter 62-521.4 and Chapter 62-532.

At their March 16th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2023-05.

Staff recommends Option 1, that City Council moves to approve Ordinance 2023-05 revision of Land Development Regulations - Chapter 13 Environmental

Mr. Drury noted a Council member had asked him if state regulations changed in protection area size, which he believed so. He said upon further review, it was determined the law was existing, and the Ordinance would mirror current state law.

Council Member Pfister asked if the Ordinance would be more or less restrictive. Mr. Drury said the Ordinance complies with less restrictive state laws. Mr. Clark stated the City wished to be consistent with state regulations, and under the current City ordinance, wells could not be relocated due to land area requirements. Mr. Drury said it would also be helpful for the future parking garage in the downtown where two other wells were located.

Council Member Singer asked if the ordinance would bring the City into compliance with state law. Mr. Drury confirmed. Council Member Singer noted the City updated the Land Development Regulations (LDRs) recently and asked if the subject was brought up then. Mr. Drury said no. Mr. Clark said the City did not know the wells would be relocated when the LDRs were updated. Council Member Singer asked if the change was being made to relocate the City's wells. Mr. Clark confirmed. He said the wells were currently located at the Public Works yard, and the new location would be Lake Hermosa.

Council Member Singer referred to Section 13-33 Exemptions paragraph E allowing retail sales establishments to store and handle substances for resale in their original unopened containers. He asked if that was allowed under current state laws. Mr. Clark confirmed. Council Member Singer asked if the language could be removed. Attorney Holt confirmed and said the City could enact more restrictions and not less. Council Member Singer noted his preference to remove the language allowing hazardous substances. Council Member Pfister concurred.

MOTION

Lori Pfister moved to approve Ordinance 2023-05 with Section 13-33 E language removed, seconded by Troy Singer. The motion carried unanimously 5-0.

X. GENERAL GOVERNMENT

Tab 10. Lake Hermosa Region Booster Pump Station and Water Treatment Plant

Mr. Clark made the following presentation:

Previously, the City made a commitment to provide increased water pressure and provide clean, safe drinking water to the Lake Hermosa Region, which includes the Advent Health Waterman Hospital, the existing developments of Etowah and Atwater, Pinecrest School, and Avalon Park Village (a planned 155-acre development that will include approximately 1,100 residential units, and a mixed-use community on the shores of Lake Hermosa).

This commitment included the designation of land for the pump station and wells and coordinating with DEP for loans and grants to get the work completed.

The design to construct the booster pump station, ground storage tanks, and transmission line to boost pressures to the required and desired levels in the Lake Hermosa Region under all flow conditions is now complete. The City has been successful in securing a SRF Loan and Grant for over a million dollars for the construction. Estimated costs are summarized as follows:

Booster Pump Station:

Design Cost (Done) \$326,308.80

Est. Construction Cost \$7,694,000.00

Amount Forgiven (GRANT) -\$1,447,038.00

Total: \$6,573,270.00

The water treatment plant will include installation of two groundwater wells on the site, aerators on each of the ground storage tanks, a fluoride system and pumps. Locating the wells at the proposed location not only improves pressure on the Lake Hermosa Region and Hospital but also areas to the south of the Lake Hermosa/Hospital area.

The City is lining up low interest DEP SRF loans and grants for the water treatment plant portion of this job as follows:

Water Treatment Plant Expansion;

Design Cost \$297,000.00

Estimated Construction

GRANT (To be Determined) \$4,675,000.00

Total: \$4,972,000.00

Staff recommends Option 1, for Council to move to Approve 1) Plan to Construct Booster Pump Station as proposed and 2) Plan to develop the water treatment plant portion as proposed and bring back any grants for Council approval.

Mr. Clark said he and Consultant and Project Manager Stephanie Bishop, PE, Arcadis, were available for questions.

Vice Mayor Gamble inquired about the number of loans for the project. Ms. Houghton said the staff is compiling a loan application to submit to SRF for their approval and they would determine the number of loans. She noted the Lake Francis Project was placed in two loans.

Vice Mayor Gamble asked how long it would take to get the project off the ground. Mr. Clarks said if approved, a shovel should be in the ground by the end of 2023 and completed 18 months later.

Council Member Singer asked how long the City had worked on the project. Mr. Clark said talks began in late 2017 with Avalon. He said he met with Avalon recently, and they have no issue with the timeline. He said there had been six to seven items to come before the Council on the project, including the land purchase and design loans. Council Member Singer said there was a significant need for residents and the hospital in the area.

Council Member Grenier asked for confirmation that the plan would be returned for Council's approval. Mr. Clark confirmed. He said if the Council approves, it would be his goal to return to the Council followed by a shovel in the ground by winter.

Vice Mayor Gamble asked what would happen to the community if the Council did not approve. Mr. Clark said construction would be denied if the hospital or Avalon came to the Community Development Department with plans for more water or pressure. He said the hospital could not expand, nor could Avalon proceed past halfway through Phase II. He said data loggers were monitoring pressure, and once a benchmark had been reached, all construction in Avalon would stop.

Vice Mayor Gamble asked for confirmation the Council had already approved projects in the area. Mr. Fitzgerald said the City Council approved the preliminary subdivision plan for Avalon Park Phase II, which includes a few hundred homes. He reiterated a benchmark monitoring of the homes would be held as each home is built to ensure the level of service was maintained.

Vice Mayor Gamble said a project like this would benefit the City, and he did not wish to deny anyone water availability.

Council Member Singer said the City takes out loans for projects so they are not stalled for ten to fifteen years while current residents were taxed. He noted his support for the project to move forward.

MOTION

Lori Pfister moved to approve, seconded by Troy Singer.

Mayor Price asked for the amount the City funded toward the project to date. Mr. Clark said an environmental assessment was completed, the land was cleared, and the project was designed for approximately \$500,000. Mayor Price asked if the lines were being upgraded for more capacity. Mr. Clark said Avalon ran lines through their project to 500 yards from the pump station location, and they will run further with Phase II. He said there would be few transmission lines the City would have to fund.

The motion carried unanimously 5-0.

Mr. Clark thanked Ms. Bishop for her assistance in obtaining the loan forgiveness.

XI. NEW BUSINESS

Council Member Pfister asked if the City could assist Imperial Terrace in gaining access to the downtown via golf carts through a gate between Baytree and Imperial Terrace. Mr. Drury said the City spoke with Imperial Terrace about opening their gate in the past. He said the residents could talk with their HOA Board and ask to reopen the gate, and noted there was access for many years before Imperial Terrace closed access. Mr. Drury said the issue was internal between the HOAs, and the City had no objection to opening access. Mr. Drury said he would look into it and report to the Council.

XII. OLD BUSINESS

XIII. AUDIENCE TO BE HEARD

Michael Watkins, 805 Summereal Avenue, Tavares, commended Ms. Campbell and Mr. Drury for bringing the Tax Aid Program to the Tavares Library. He asked if a thank you letter could be forwarded to Mr. Minkoff and welcome him back to provide the service the following year. He commended the Library for making resources available to the public.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, recommended increasing the library budget. He discussed Urban3, a company that provides cities with property and retail tax analysis charts. He suggested the City conduct a study.

XIV. REPORTS

Tab 11. City Administrator Report

Mr. Dillon said the Public Works facility contractor had heavy equipment on site and would begin construction in the next few weeks. He said a groundbreaking ceremony was being planned for the end of May 2023.

Mayor Price asked for an update on garbage services. Mr. Dillon said the staff did a great job and ended their route just past 6:00 p.m., and Mr. Drury said the department would be fully staffed within the next two weeks.

Mr. Clark stated the Woodlea Utility Line Extension contractor was on site, ordering materials and putting their plan in place.

Mr. Clark said the annual Water Quality Report was completed and sent to all residents. He commended Chris Abbot, Water Supervisor, for his efforts and noted the City incurred no violations.

Mr. Clark said Lakeview Circle Phase II was completed the previous week.

Mr. Clark provided an update on Water Day scheduled for April 29 in Wooton Park from 9:00 a.m. to 1:00 p.m.

Ms. Bublitz commended the Library Staff.

Tab 12. City Council Member Reports

Council Member Pfister

Council Member Pfister commended the Library staff for doing a fantastic job and noted she always receives good feedback from the residents.

Council Member Grenier

Council Member Grenier said he was excited about the Public Works Building project. He thanked Mr. Dillon and his Team.

Council Member Grenier commended the Library Staff. He said he was happy and proud of the Tavares Square area of Ridge Park, including the new Historical Research Center, Tavares Library, Civic Center, and the St. Clair Abrams house.

Council Member Singer

Council Member Singer said he had the privilege of attending a ribbon cutting for the new PAM Rehabilitation Facility, which included 42 beds and inpatient and outpatient care. He said PAM employs over 120 people who contribute to the economy and need places to live. The Lake Hermosa area was one of those places they would be taking up residence. He said many great things are happening in the City's downtown, industrial park, and medical facilities.

Vice Mayor Gamble

Vice Mayor Gamble said he had only received good comments about the Tavares Library Staff.

Vice Mayor Gamble said it was good to see the Civic Center and City Hall projects moving forward.

Mayor Price

Mayor Price said he attended the grand opening of the PAM Rehabilitation Hospital in the Tavares Medical Park. He said it was a great facility.

Mayor Price said he was honored to be a Tavares High School Incubator Program judge. He said three teams were competing with entrepreneurial projects, including a movable desk, a fitness app, and a portable greenhouse which won first place. He said the final competition would be held on April 28, 2023.

Mayor Price commended the Library Staff on the hard work they do.

XV. ADJOURNMENT

There was no further business and Mayor Price adjourned the meeting at 5:07 p.m.

Respectfully,

Susie Novack, MMC, FCRM
City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 4

SUBJECT TITLE: Approve Resolution 2023-06 Authorizing Continued Participation in the Lake County Community Development Block Grant Program

OBJECTIVE:

Approval of Resolution 2023-06 authorizing continued participation in the Lake County Block Grant Program (CDBG), authorizing execution of the Urban County Cooperation Agreement for the Community Development Block Grant Program with Lake County, Florida

SUMMARY:

On August 2017, the City Council authorized participation in the Lake County Community Development Block Grant Program for Fiscal Years 2018, 2019, and 2020, and the City of Tavares entered into an Urban County Cooperation Agreement with Lake County.

On May 6, 2020, the City Council authorized continued participation in the Lake County Community Development Block Program for Fiscal Years 2021, 2022, and 2023, and the City of Tavares executed an Urban County Cooperation Agreement with Lake County.

This Agreement automatically renews each fiscal year unless the City Council wishes to terminate the agreement. An amendment to the agreement may be required to meet cooperation agreement requirements as required by HUD upon continuation in the program. Upon approval, the renewed agreement will be valid through Fiscal Year 2026, and will renew automatically.

The City has a long history of participation in the program, and in the prior three-year period, the City received funding for: street paving, alleyway construction, sidewalk construction, park restroom construction, and Wooton Park Wooten Wonderland Improvement Project. All projects funded with Community Development Block Grants are intended to benefit low to moderate income areas, and eliminate blight conditions within the community. Under the Cooperation Agreement, the City is a sub-recipient for CDBG funds.

The Lake County Community Planning & Development Division has requested confirmation from the City of Tavares for continued participation for Fiscal Years 24, 25, and 26 in the Lake County Community Development Block Grant Program.

OPTIONS:

- 1. MOVE TO APPROVE RESOLUTION NO. 2023-06 authorizing the City Administrator to notify Lake County Community Planning & Development Division that the City of Tavares wishes to continue participation in the Lake County CDBG Program, and to authorize the City Administrator to execute an Urban County Cooperation Agreement**

with Lake County for Continued Participation in the Lake County CDBG Grant Program.

2. MOVE TO NOT APPROVE Resolution 2023-06

STAFF RECOMMENDATION:

- 1. MOVE TO APPROVE RESOLUTION NO. 2023-06 authorizing the City Administrator to notify Lake County Community Planning & Development Division that the City of Tavares wishes to continue participation in the Lake County CDBG Program, and to authorize the City Administrator to execute an Urban County Cooperation Agreement with Lake County for Continued Participation in the Lake County CDBG Grant Program.**

FISCAL IMPACT:

Confirmation and execution of the Participation Agreement to continue participation in the Lake County CDBG Program requires no financial impact.

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Res 2023-06_City of Tavares - Resolution CDBG Urban County Coop Agr - 05-03-23_Cty temp V2
2. City of Tavares - UCP Cooperative Agreement - 04.18.23
3. City of Tavares - UCP Letter Requesting CDBG Participation April 2023

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 5

SUBJECT TITLE: Ordinance 2023-09 - S&S Holdings of Florida LLC / SHREE SAI 9 Inc. - Annexation & Rezoning of Approximately 0.44 Acres Located at 15226 & 15236 Old US Hwy 441 (Community Development)

OBJECTIVE:

To consider the annexation and rezoning to Highway Commercial (C-2) of approximately 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

SUMMARY:

The subject property is approximately 0.44 acres located at 15226 & 15236 Old US Hwy 441, south of Old US Hwy 441, east of David Walker Drive. Both parcels of property are presently zoned as Lake County Light Industrial District (LM). The applicant is proposing that the property be annexed and rezoned to City Highway Commercial (C-2).

The proposed zoning of Highway Commercial (C-2) is compatible with the surrounding zoning and accommodates pre-existing use of the property. The property is adjacent to parcels designated as industrial and is in close proximity to residential zoning. Both parcels are developed, and each parcel contains an existing commercial building that has operated as an auto repair shop and a convenience store.

The annexation of this property has been reviewed per the City's Annexation Policy. It has been determined by City staff that the property may be properly serviced by the City without undue hardship or significant negative fiscal impact on the City. City water and sewer service is available to the property, and the property owner has applied to connect to City utilities.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban High Density to City of Tavares Commercial (COM) on the Future Land Use Map 2040.

OPTIONS:

1. City Council moves to approve Ordinance 2023-09 annexation and rezoning to Highway Commercial (C-2) approximately 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.
2. City Council moves to deny Ordinance 2023-09.

STAFF RECOMMENDATION:

At their April 20th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2023-09.

Staff recommends that City Council moves to approve Ordinance 2023-09 annexation and rezoning to Highway Commercial (C-2) approximately 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2023-09
2. Aerial Map
3. Zoning Map
4. 4-20-2023 P&Z Meeting Minutes
5. Newspaper Ad - 4-9-23

ORDINANCE 2023-09

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 0.44 ACRES OF LAND LOCATED AT 15226 OLD US HWY 441 AND 15236 OLD US HWY 441, REZONING SAID PROPERTY FROM LAKE COUNTY LIGHT INDUSTRIAL DISTRICT (LM) TO CITY OF TAVARES HIGHWAY COMMERCIAL (C-2); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the property described in **Exhibit “A”** has voluntarily petitioned to annex into the City of Tavares, and

WHEREAS, the property legally defined in **Exhibit “A”** is contiguous with the corporate limits of the City of Tavares and the annexation of said property will not result in the creation of any enclave; and

WHEREAS, the City of Tavares, Florida, is in a position to provide municipal services to the property described herein; and,

WHEREAS, the City Council of the City of Tavares, Florida, deems it in the best interest of the City to accept said petition and to annex said property; and,

WHEREAS, the property is currently zoned Lake County Light Industrial (LM), and the applicant has requested that said property be rezoned to a City designation of Highway Commercial (C-2); and,

WHEREAS, the City is concurrently processing an amendment to the City's Comprehensive Plan to re-designate the property from Lake County Urban High Density to City of Tavares Commercial (COM) on the Future Land Use Map 2040; and

WHEREAS, the City of Tavares held duly noticed public hearings before the Planning and Zoning Board and City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed amended zoning and annexation; and

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and

WHEREAS, the City Council finds this amendment in compliance with the City of Tavares Land Development Regulations and the proposed amended Comprehensive Plan; now therefore

BE IT ORDAINED by the City Council of the City of Tavares, Florida, as follows:

Section 1. Annexation

The property legally defined as and depicted in **Exhibit “A”** attached hereto, situated in Lake County, Florida, is hereby incorporated into and made a part of the City of Tavares, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes.

Section 2. Rezoning

The property described in **Exhibit “A”** shall hereby be rezoned from Lake County Light Industrial District (LM) to City of Tavares Highway Commercial (C-2) and shall be subject to the provisions contained within the Land Development Regulations for this zoning designation.

Section 3. Severability.

Upon a determination by a court of competent jurisdiction that a portion of this ordinance is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect.

Section 4. Effective Date.

This Ordinance shall take effect immediately upon its final adoption by the Tavares City Council

PASSED AND ORDAINED this _____ of _____, 2023, by the City Council of the City of Tavares, Florida.

Walter B. Price, Sr., Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

That part of Lots U and A in a Map of the Lands of the VIRGINIA LAND CORPORATION, a subdivision in Lake County, Florida, according to the plat thereof as recorded in Plat Book 2, Page 29, Public Records of Lake County, Florida, bounded and described as follows:

Begin at the intersection of the Southerly right of way line of Old U.S. Hwy. 441 and the West line of said Lot U and run thence South along said West line to the Northerly right of way line of the Railroad, thence Easterly along said Northerly right of way line 90 feet, thence Northerly to a point on the Southerly right of way line of Old U.S. Hwy. 441 which is 100 feet Easterly of the Point of Beginning as measured along said Southerly right of way line, thence Westerly along said Southerly right of way line 100 feet to the Point of Beginning.

ALSO:

Begin at the intersection of the Southerly right of way line of Old U.S. Hwy. 441 and the East line of said Lot A and run thence South 03°02'38" West 104.2 feet, more or less to a point on the Northerly right of way line of the Railroad which is 5 feet Westerly of the East line of said Lot A as measured along said Northerly right of way line, thence Easterly along said Northerly right of way line 5 feet to the East line of said Lot A, thence North along said East line to the Point of Beginning.

AND

That part of the East 100 feet of Lot A in a Map of the Lands of the VIRGINIA LAND CORPORATION, a subdivision in Lake County, Florida, according to the plat thereof as recorded in Plat Book 2, Page 29, Public Records of Lake County, Florida, lying South of the Southerly right of way line of Old U.S. Hwy. 441 and North of the Northerly right of way line of the Railroad,

LESS and EXCEPT the following:

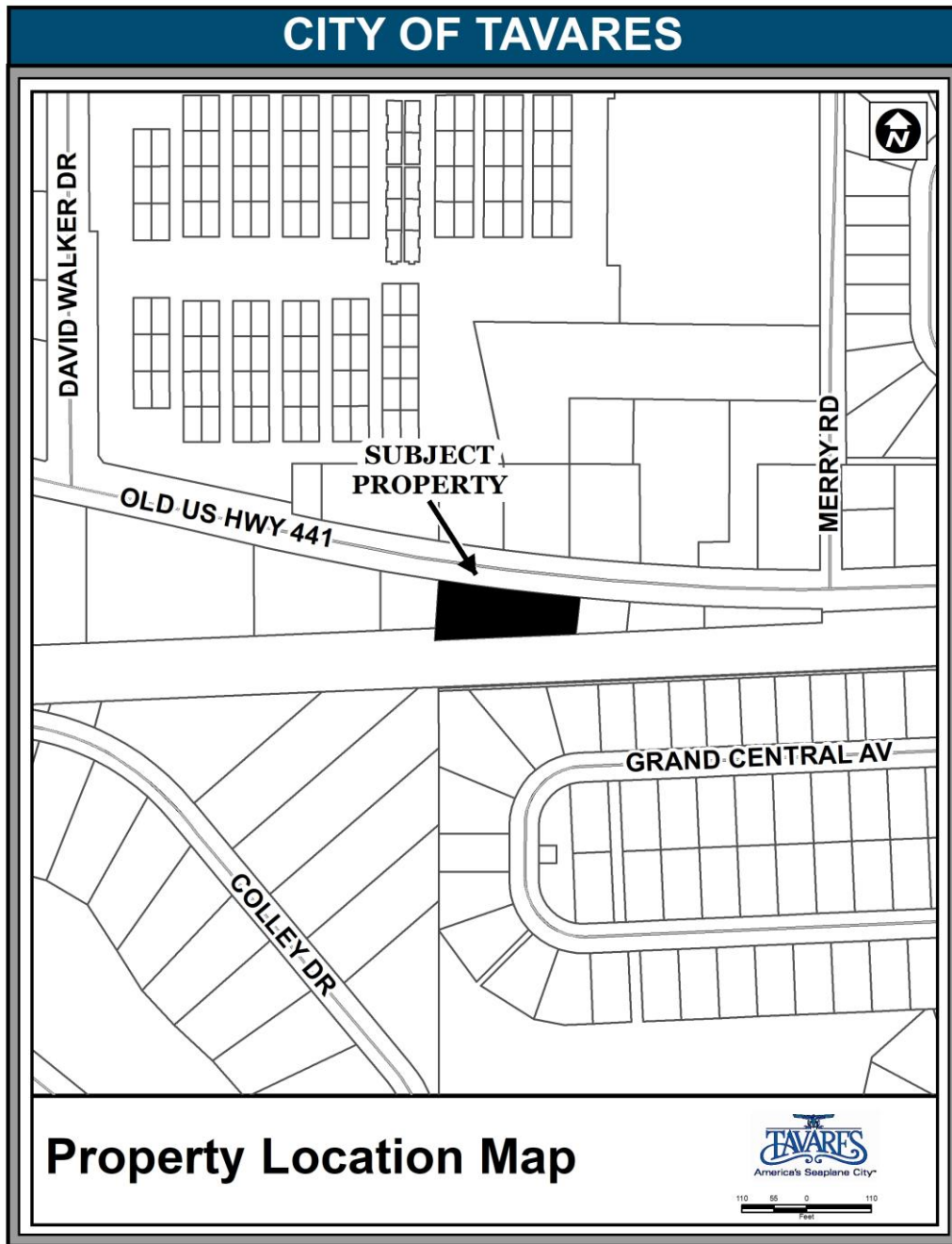
Begin at the intersection of the Southerly right of line of Old U.S. Hwy. 441 and the East line of said Lot A and run thence South 03°02'38" West 104.2 feet, more or less, to a point on the Northerly right of way line of the Railroad which is 5 feet Westerly of the East line of said Lot A as measured along said Northerly right of way line, thence Easterly along said Northerly right of way line 5 feet to the East line of said Lot A, thence North along said East line to the Point of Beginning.

EXHIBIT "A" Continued

That part of Lot "U" according to the Map of Virginia Land Corporation, recorded in Plat Book 2, Page 29, Public Records of Lake County, Florida bounded and described as follows: From the Northwest corner of said Lot "U", run thence South along the West line of said Lot "U" a distance of 306.14 feet to a point on the Northerly line of the right-of-way of the Seaboard Coastline Railroad; run thence North 86°58'00" East along said Northerly right-of-way line 102.7 feet for a Point of Beginning; run thence North 05°58'00" East 83.57 feet to the Southerly right-of-way line of Old U.S. Highway No. 441, said point being hereby designated as Point "A", thence begin again at the Point of Beginning and run thence North 86°58'00" East along the Northerly line of the right-of-way of said Railroad 131 feet; run thence North 05°58'00" East 63.3 feet to the Southerly right-of-way line of Old U.S. Highway 441; run thence Northwesterly along said Southerly right-of-way line 129.38 feet, more or less to said designated Point "A".

Being more particularly described as follows:

That part of Lot "U" according to the Map of Virginia Land Corporation, recorded in Plat Book 2, Page 29, Public Records of Lake County, Florida bounded and described as follows: From the Northwest corner of said Lot "U", run thence South along the West line of said Lot "U" a distance of 306.14 feet to a point on the Northerly line of the right-of-way of the Seaboard Coastline Railroad; run thence North 86°58'00" East along said Northerly right-of-way line, a distance of 102.7 feet for a Point of Beginning; run thence North 05°58'00" East, a distance of 83.57 feet to the Southerly right-of-way line of Old U.S. Highway No. 441, said point being hereby designated as Point "A", said point also being a point on a curve, thence begin again at the Point of Beginning and run thence North 86°58'00" East along the Northerly line of the right-of-way of said Railroad, a distance of 131.00 feet; run thence North 05°58'00" East, a distance of 63.3 feet to the Southerly right-of-way line of Old U.S. Highway 441, said point being on a curve concave Southerly, having a radius of 4298.17 feet, a Delta of 01°43'40", and subtended by a chord bearing of North 84°07'55" West, with a chord distance of 129.39 feet; run thence Northwesterly along the Arc of said curve a distance of 129.39 feet, more or less to said designated Point "A". Said lands situate, lying and being in Lake County, Florida.



Created By: City of Tavares GIS

pzd\DATA\PROJECT FILES\Sanjay's 15226 & 15236 Old US HWY 441; Annex, Rezoning, SSFLUM - PZ20230-06\AD.mxd

Map Created on 3/20/23

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET
APRIL 20, 2023**

BOARD MEMEBERS PRESENT

Gary Santoro, Chairman
Deborah Murphy, Vice-Chairman
Dian Joy, Board Member - Absent
Bruce Peterman, Board Member
Brooke Matthews, Board Member
James Sweezea, Board Member
Dara Treadwell, Board Member - Absent

LAKE COUNTY SCHOOL BOARD

Helen LaValley – Absent

STAFF MEMBERS PRESENT

Antonio Fabre – Community Development Deputy Director
Mike Fitzgerald – Community Development Director
Lindsay Holt, City Attorney
Jillian Roberts, Deputy City Clerk

CALL TO ORDER

Chairman Santoro called the meeting to order at 3:00 p.m. and asked those present to silence their cell phones. He led those present in the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections to the March 16, 2023 Planning and Zoning meeting minutes.

MOTION

James Sweezea moved to approve the minutes of the March 16, 2023 Planning and Zoning Board Meeting, seconded by Bruce Peterman. The motion carried unanimously 5-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Attorney Holt swore in those who were present and wished to provide testimony.

Attorney Holt asked the Board Members if there were any ex-parte communications. There were none.

PUBLIC HEARING

1) **Recommendation on Ordinance 2023-09 – S&S Holdings of Florida LLC / SHREE SAI 9 Inc. – Annexation & Rezoning Approximately 0.44 Acres Located at 15226 & 15236 Old US HWY 441**

Mr. Fitzgerald gave the following presentation:

The subject property is approximately 0.44 acres located at 15226 & 15236 Old US Hwy 441, south of Old US Hwy 441, east of David Walker Drive. Both parcels of property are presently zoned as Lake County Light Industrial District (LM). The applicant is proposing that the property be annexed and rezoned to City Highway Commercial (C-2).

The proposed zoning of Highway Commercial (C-2) is compatible with the surrounding zoning and accommodates pre-existing use of the property. The property is adjacent to parcels designated as industrial and is in close proximity to residential zoning. Both parcels are developed, and each parcel contains an existing commercial building that has operated as an auto repair shop and a convenience store.

The annexation of this property has been reviewed per the City's Annexation Policy. It has been determined by City staff that the property may be property serviced by the City without undue hardship or significant negative fiscal impact on the City. City water and sewer service is available to the property, and the property owner has applied to connect to City utilities.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban High Density to City of Tavares Commercial (COM) on the Future Land Use Map 2040.

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-09 annexation and rezoning to Highway Commercial (C-2) approximately 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

Chairman Santoro asked for comments from the public. There were none.

Chairman Santoro asked for comments from the Board. There were none.

MOTION

James Sweeza moved to recommend approval of Ordinance 2023-09, seconded by Brooke Matthews. The motion carried unanimously 5-0.

2) **Recommendation on Ordinance 2023-01 – S&S Holdings of Florida LLC / SHREE SAI 9 Inc. – SSFLUM Amendment of Approximately 0.44 Acres Located at 15226 & 15236 Old US Hwy 441**

Mr. Fitzgerald gave the following presentation:

The subject property is located at 15226 & 15236 Old US Hwy 441, south of Old 441, east of David Walker Dr., and is approximately 0.44 acres in size. Each parcel of property has one (1) building and has a land use designation of Lake County Urban High Density. The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to

change the designation of said property from Lake County Urban High Density to City Commercial (COM).

Ordinance 2023-10 proposes a small-small scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Lake County Urban High Density to City Commercial (COM).

The subject property is adjacent to a mixture of industrial, commercial, and residential uses. An application to annex and rezone this property to a Highway Commercial (-2) designation is concurrently under consideration.

The city is required to place a future land use designation on annexed property. The subject property is currently designated Lake County Urban High Density. A Commercial (COM) designation is compatible with surrounding property and County Future Land Use.

The land surrounding this property is residential, commercial, and industrial in nature.

The property currently contains one (1) building on each parcel.

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1) A commercial (COM) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2) Impacts of any proposed development of the subject property shall be monitored through the City's Concurrency Management System (Comp. Plan, Chapter 8).*

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-10, a Future Land Use Map amendment from Lake County Urban High Density to City Commercial (COM) for 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

Chairman Santoro asked for comments from the public. There were none.

Chairman Santoro asked for comments from the Board. There were none.

MOTION

James Sweezee moved to recommend approval of Ordinance 2023-10, seconded by Deborah Murphy. The motion carried unanimously 5-0.

- 3) Recommendation on Ordinance 2023-01 – TPO-FL, LLC – Rezoning of Approximately 01.05 Acres Located South of Madison Street, West of Orange Ave.**

Mr. Fitzgerald gave the following presentation:

The subject property consists of approximately 01.05 acres of property located south of Madison Street, west of Orange Avenue. The property is currently zoned as Residential Single Family (RSF-1), and the applicant is proposing that the property be rezoned to Highway Commercial (C-2).

The proposed zoning of Highway Commercial (C-2) is compatible with the commercial zoning that abuts the subject property and US Hwy 441. The applicant at this time envisions the demolition of existing structures, and the construction of a new convenience store with fuel pumps. The proposed use is allowable under the Highway Commercial (C-2) zoning. The site will be designed with access points on US Hwy 441 and Orange Avenue and will include landscape buffering per the City's Land Development Regulations. The total site construction area is 01.99 acres, which includes property abutting US Hwy 441 already zoned as Highway Commercial (C-2) and the 01.05 acres of property under consideration for rezoning.

The environmental assessment submitted by Stonefield Engineering & Design, LLC does not indicate any adverse impact on the level of service for surrounding roadways with the inclusion of certain roadway improvements such as modifications to the turn lanes on US Hwy 441 and Orange Avenue.

Development of the property will be in accordance with the City's Land Development Regulations. Prior to the issuance of any Building Permits for this property, compliance with all applicable regulations will be required.

The City is concurrently processing a future land use map amendment to re-designate the property from Residential Low Density (LOW) to Commercial (COM) on the Future Land Use Map 2040.

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-01 rezoning approximately 01.05 acres of property located south of Madison Street, west of Orange Avenue from Residential Single Family (RSF-1) to Highway Commercial (C-2).

Chairman Santoro asked for comments from the public.

Michael Pennell, Stonefield Engineering & Design, LLC, 400 N. Ashley Dr, Tampa, FL, Applicant, gave a brief overview of the project.

Christian Landa, 701 Madison Street, noted he owns and lives at the residential property directly next to the subject property. He stated his concerns about increased traffic, drug activity, and decreased property value. He noted the presence of numerous children in the neighborhood and safety concerns.

Bill Millikin, 707 Madison St, noted the concern of speed, level of traffic, and Semi-trucks traveling on Madison Street. He stated he would like speed bumps in the neighborhood regardless of development.

Jamie Reid, 720 Madison St, noted she agrees with all comments previously made and stated there is too much traffic currently. Stated her disapproval of the project.

Chairman Santoro closed public comment.

Board Member Peterman agreed with previous comments and noted his concern pertaining to the level of traffic and traffic patterns. He stated adding a gas station will add to the traffic congestion and noted he was not certain if it is an ideal place for a gas station.

Board Member Matthews asked for the size of the full property and an explanation of the wall. Mr. Fitzgerald stated the size of the total property size is 01.99 acres. He stated a 6-foot wall would be built between the property and the residential area and would be subject to landscape regulations.

Mr. Pennell stated there would be no access on Madison Street to the subject property.

Board Member Sweeza noted traffic concerns on Madison Street and Orange Avenue.

Vice-Chairman Murphy noted her concern about volume of traffic in the area and the location of the project.

Chairman Santoro stated he agrees with the Board Members' comments and noted it is not the right place for the project. He asked where the fuel tanks and valves will be located and what it would take for no commercial vehicles to drive on Madison Avenue. Mr. Pennell stated the gas tanks will be located at the southernmost point of the property and will be vented on US Hwy 441.

Mr. Fitzgerald stated the site plan has not been submitted to date and he would look into no commercial vehicles on Madison Avenue.

MOTION

Deborah Murphy moved to deny recommendation on Ordinance 2023-01, seconded by Brooke Matthews.

Chairman Santoro noted his concern for the health, safety, and well-being of the residents and asked to have the motion amended with that stated. Vice-Chairman Murphy confirmed.

Mr. Pennell stated the traffic study was approved.

Board Member Sweeza noted his concern is traffic, not Wawa.

MOTION

Deborah Murphy moved to deny recommendation on Ordinance 2023-01 for the health, safety, and well-being of the residents, seconded by Brooke Matthews. The motion carried unanimously 5-0.

4) Recommendation on Ordinance 2023-03 – TPO-FL, LLC – SSSFLUM Amendment of Approximately 01.05 Acres Located South of Madison Street, West of Orange Avenue.

Mr. Fitzgerald gave the following presentation:

The subject property is located south of Madison Street, west of Orange Avenue, and is approximately 01.05 acres in size. The land presently has (1) building and has a land use designation of Low Density (LOW). The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Low Density (LOW) to Commercial (COM).

Ordinance 2023-02 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Low Density (LOW) to Commercial (COM).

The subject property is adjacent to a mixture of residential and commercial uses. An application to rezone this property to Highway Commercial (C-2) designation is concurrently under consideration.

The city is required to place a future land use designation on annexed property. The subject property is currently designated Low Density (LOW). A commercial (COM) designation is compatible with surrounding property and County future land use.

The land surrounding this property is residential and commercial in nature.

The property currently contains one (1) building.

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility services available for the subject parcel. The City's Concurrence Management System will ensure that Levels of Services (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1) A Commercial (COM) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2) Impacts of the proposed development of the subject property shall be monitored through the City's Concurrence Management System (Comp Plan, Chapter 8).*

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-02, a Future Land Use Map amendment from Low Density (LOW) to Commercial (COM) for 01.05 acres located south of Madison Street, west of Orange Avenue.

Chairman Santoro asked for comments from the public. There was none.

Chairman Santoro asked for comments from the Board.

Chairman Santoro asked for clarification if Ordinance 2023-02 would have to be denied as well. Attorney Holt stated it is not required to be denied.

Board Member Sweeza noted a preference to approve Ordinance 2023-02.

Vice-Chairman Murphy stated her preference to keep the subject property as residential zoning.

MOTION

James Sweezea moved to deny the recommendation of Ordinance 2023-02, seconded by Bruce Peterman. The motion carried unanimously 5-0.

OTHER BUSINESS

None.

PUBLIC COMMENT

Bill Millikin thanked the Planning and Zoning Board.

ADJOURNMENT

MOTION

James Sweezea moved to adjourn the meeting at 3:42 p.m., seconded by Brooke Matthews. The motion carried unanimously 5-0.

Respectfully Submitted,

Jillian Roberts,
Deputy City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 6

SUBJECT TITLE: Ordinance 2023-10 - S&S Holdings of Florida LLC / SHREE SAI 9 Inc. - SSFLUM Amendment of Approximately 0.44 Acres Located at 15226 & 15236 Old US Hwy 441 (Community Development)

OBJECTIVE:

To consider an application for a Future Land Use Map amendment from Lake County Urban High Density to City Commercial (COM) for 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

SUMMARY:

The subject property is located at 15226 & 15236 Old US Hwy 441, south of Old 441, east of David Walker Dr., and is approximately 0.44 acres in size. Each parcel of property has one (1) building and has a land use designation of Lake County Urban High Density. The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Lake County Urban High Density to City Commercial (COM).

Ordinance 2023-10 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Lake County Urban High Density to City Commercial (COM).

The subject property is adjacent to a mixture of industrial, commercial, and residential uses. An application to annex and rezone this property to a Highway Commercial (C-2) designation is concurrently under consideration.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated Lake County Urban High Density. A Commercial (COM) designation is compatible with surrounding property and County Future Land Use.

Compatibility

The land surrounding this property is residential, commercial, and industrial in nature.

Site Conditions

The property currently contains one (1) building on each parcel.

Impact on City Services

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not

implicated.

FINDINGS

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Commercial (COM) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.

2. Impacts of any proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)

OPTIONS:

1. City Council moves to approve Ordinance 2023-10, a Future Land Use Map amendment from Lake County Urban High Density to City Commercial (COM) for 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.
2. City Council moves to deny Ordinance 2023-10.

STAFF RECOMMENDATION:

At their April 20th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2023-10.

Staff recommends that City Council moves to approve Ordinance 2023-10, a Future Land Use Map amendment from Lake County Urban High Density to City Commercial (COM) for 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2023-10
2. FLU Map
3. 4-20-2023 P&Z Meeting Minutes

ORDINANCE 2023-10

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 0.44 ACRES OF PROPERTY FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY COMMERCIAL (COM) FOR PROPERTY LOCATED AT 15226 OLD US HWY 441 AND 15236 OLD US HWY 441; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property described in **Exhibit “A”** attached hereto, is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Lake County Urban High Density to City Commercial (COM); and

WHEREAS, the City of Tavares is concurrently processing the annexation of this property; and

WHEREAS, the property consists of less than ten acres;

WHEREAS, the City of Tavares has advertised as required by law for two public hearings prior to adoption of this ordinance; and

WHEREAS, the City has held such public hearings and the records of the City provide that the owners of the land affected have been notified as required by law; and

WHEREAS, a Commercial Future Land Use designation is compatible with surrounding City of Tavares future land use designations; and

WHEREAS, the City of Tavares Planning and Zoning Board, Local Planning Agency, and City Council held duly noticed public hearings providing opportunity for individuals to hear and be heard regarding the adoption of the proposed map amendment; and,

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and,

WHEREAS, the City Council finds this amendment in compliance with Chapter 163, Florida Statutes, and the City of Tavares Comprehensive Plan; and

WHEREAS, adoption of this amendment is in the best interest of the health, safety, and general welfare of the citizens of Tavares.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Tavares, Florida as follows

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map of the City of Tavares, Florida, is hereby amended to reflect a re-designation from Lake County Urban High Density to City of Tavares Commercial (COM) on certain real property as legally described in **Exhibit "A"**. All provisions of the Comprehensive Plan shall hereby apply to said property.

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Transmittal

The City Administrator is hereby authorized and directed to transmit the adopted Comprehensive Plan amendments to the Florida Department of Economic Opportunity, the East Central Florida Regional Planning Council, the St. Johns River Water Management District, the Department of Environmental Protection, the Florida Department of Transportation, and any other governmental agency in the State of Florida that has filed a written request with the City Council for a copy of the Comprehensive Plan within 10 working days of the adoption of this Ordinance as specified in the State Land Planning Agency's procedural rules.

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan

amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ORDAINED this _____ of _____, 2023, by the City Council of the City of Tavares, Florida.

Walter B. Price, Sr., Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

That part of Lots U and A in a Map of the Lands of the VIRGINIA LAND CORPORATION, a subdivision in Lake County, Florida, according to the plat thereof as recorded in Plat Book 2, Page 29, Public Records of Lake County, Florida, bounded and described as follows:

Begin at the intersection of the Southerly right of way line of Old U.S. Hwy. 441 and the West line of said Lot U and run thence South along said West line to the Northerly right of way line of the Railroad, thence Easterly along said Northerly right of way line 90 feet, thence Northerly to a point on the Southerly right of way line of Old U.S. Hwy. 441 which is 100 feet Easterly of the Point of Beginning as measured along said Southerly right of way line, thence Westerly along said Southerly right of way line 100 feet to the Point of Beginning.

ALSO:

Begin at the intersection of the Southerly right of way line of Old U.S. Hwy. 441 and the East line of said Lot A and run thence South 03°02'38" West 104.2 feet, more or less to a point on the Northerly right of way line of the Railroad which is 5 feet Westerly of the East line of said Lot A as measured along said Northerly right of way line, thence Easterly along said Northerly right of way line 5 feet to the East line of said Lot A, thence North along said East line to the Point of Beginning.

AND

That part of the East 100 feet of Lot A in a Map of the Lands of the VIRGINIA LAND CORPORATION, a subdivision in Lake County, Florida, according to the plat thereof as recorded in Plat Book 2, Page 29, Public Records of Lake County, Florida, lying South of the Southerly right of way line of Old U.S. Hwy. 441 and North of the Northerly right of way line of the Railroad,

LESS and EXCEPT the following:

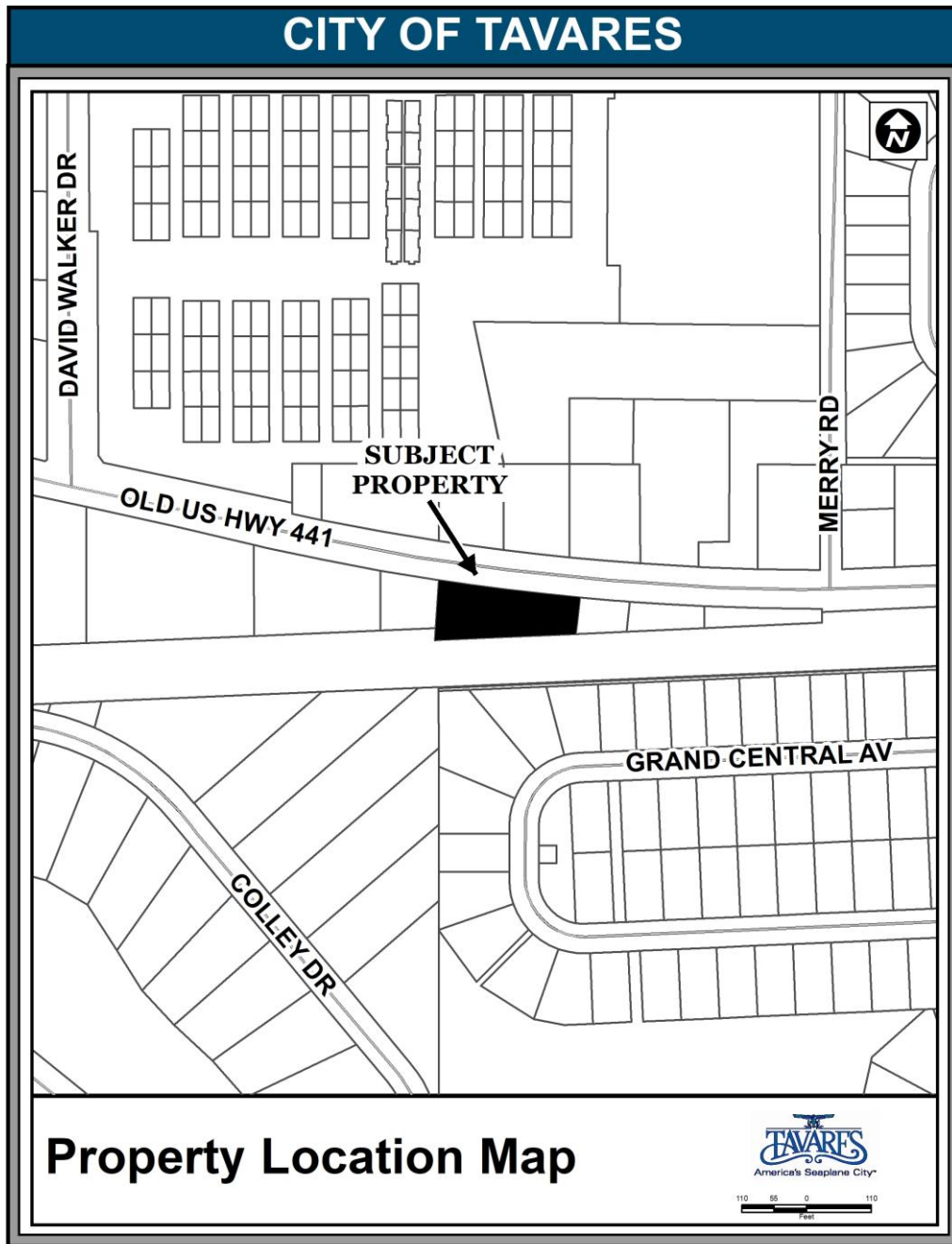
Begin at the intersection of the Southerly right of line of Old U.S. Hwy. 441 and the East line of said Lot A and run thence South 03°02'38" West 104.2 feet, more or less, to a point on the Northerly right of way line of the Railroad which is 5 feet Westerly of the East line of said Lot A as measured along said Northerly right of way line, thence Easterly along said Northerly right of way line 5 feet to the East line of said Lot A, thence North along said East line to the Point of Beginning.

EXHIBIT "A" Continued

That part of Lot "U" according to the Map of Virginia Land Corporation, recorded in Plat Book 2, Page 29, Public Records of Lake County, Florida bounded and described as follows: From the Northwest corner of said Lot "U", run thence South along the West line of said Lot "U" a distance of 306.14 feet to a point on the Northerly line of the right-of-way of the Seaboard Coastline Railroad; run thence North 86°58'00" East along said Northerly right-of-way line 102.7 feet for a Point of Beginning; run thence North 05°58'00" East 83.57 feet to the Southerly right-of-way line of Old U.S. Highway No. 441, said point being hereby designated as Point "A", thence begin again at the Point of Beginning and run thence North 86°58'00" East along the Northerly line of the right-of-way of said Railroad 131 feet; run thence North 05°58'00" East 63.3 feet to the Southerly right-of-way line of Old U.S. Highway 441; run thence Northwesterly along said Southerly right-of-way line 129.38 feet, more or less to said designated Point "A".

Being more particularly described as follows:

That part of Lot "U" according to the Map of Virginia Land Corporation, recorded in Plat Book 2, Page 29, Public Records of Lake County, Florida bounded and described as follows: From the Northwest corner of said Lot "U", run thence South along the West line of said Lot "U" a distance of 306.14 feet to a point on the Northerly line of the right-of-way of the Seaboard Coastline Railroad; run thence North 86°58'00" East along said Northerly right-of-way line, a distance of 102.7 feet for a Point of Beginning; run thence North 05°58'00" East, a distance of 83.57 feet to the Southerly right-of-way line of Old U.S. Highway No. 441, said point being hereby designated as Point "A", said point also being a point on a curve, thence begin again at the Point of Beginning and run thence North 86°58'00" East along the Northerly line of the right-of-way of said Railroad, a distance of 131.00 feet; run thence North 05°58'00" East, a distance of 63.3 feet to the Southerly right-of-way line of Old U.S. Highway 441, said point being on a curve concave Southerly, having a radius of 4298.17 feet, a Delta of 01°43'40", and subtended by a chord bearing of North 84°07'55" West, with a chord distance of 129.39 feet; run thence Northwesterly along the Arc of said curve a distance of 129.39 feet, more or less to said designated Point "A". Said lands situate, lying and being in Lake County, Florida.



Created By: City of Tavares GIS

pzd\DATA\PROJECT FILES\Sanjay's 15226 & 15236 Old US HWY 441; Annex, Rezoning, SSFLUM - PZ20230-06\AD.mxd

Map Created on 3/20/23

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET
APRIL 20, 2023**

BOARD MEMEBERS PRESENT

Gary Santoro, Chairman
Deborah Murphy, Vice-Chairman
Dian Joy, Board Member - Absent
Bruce Peterman, Board Member
Brooke Matthews, Board Member
James Sweeza, Board Member
Dara Treadwell, Board Member - Absent

LAKE COUNTY SCHOOL BOARD

Helen LaValley – Absent

STAFF MEMBERS PRESENT

Antonio Fabre – Community Development Deputy Director
Mike Fitzgerald – Community Development Director
Lindsay Holt, City Attorney
Jillian Roberts, Deputy City Clerk

CALL TO ORDER

Chairman Santoro called the meeting to order at 3:00 p.m. and asked those present to silence their cell phones. He led those present in the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections to the March 16, 2023 Planning and Zoning meeting minutes.

MOTION

James Sweeza moved to approve the minutes of the March 16, 2023 Planning and Zoning Board Meeting, seconded by Bruce Peterman. The motion carried unanimously 5-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Attorney Holt swore in those who were present and wished to provide testimony.

Attorney Holt asked the Board Members if there were any ex-parte communications. There were none.

PUBLIC HEARING

1) **Recommendation on Ordinance 2023-09 – S&S Holdings of Florida LLC / SHREE SAI 9 Inc. – Annexation & Rezoning Approximately 0.44 Acres Located at 15226 & 15236 Old US HWY 441**

Mr. Fitzgerald gave the following presentation:

The subject property is approximately 0.44 acres located at 15226 & 15236 Old US Hwy 441, south of Old US Hwy 441, east of David Walker Drive. Both parcels of property are presently zoned as Lake County Light Industrial District (LM). The applicant is proposing that the property be annexed and rezoned to City Highway Commercial (C-2).

The proposed zoning of Highway Commercial (C-2) is compatible with the surrounding zoning and accommodates pre-existing use of the property. The property is adjacent to parcels designated as industrial and is in close proximity to residential zoning. Both parcels are developed, and each parcel contains an existing commercial building that has operated as an auto repair shop and a convenience store.

The annexation of this property has been reviewed per the City's Annexation Policy. It has been determined by City staff that the property may be property serviced by the City without undue hardship or significant negative fiscal impact on the City. City water and sewer service is available to the property, and the property owner has applied to connect to City utilities.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban High Density to City of Tavares Commercial (COM) on the Future Land Use Map 2040.

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-09 annexation and rezoning to Highway Commercial (C-2) approximately 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

Chairman Santoro asked for comments from the public. There were none.

Chairman Santoro asked for comments from the Board. There were none.

MOTION

James Sweezea moved to recommend approval of Ordinance 2023-09, seconded by Brooke Matthews. The motion carried unanimously 5-0.

2) **Recommendation on Ordinance 2023-01 – S&S Holdings of Florida LLC / SHREE SAI 9 Inc. – SSFLUM Amendment of Approximately 0.44 Acres Located at 15226 & 15236 Old US Hwy 441**

Mr. Fitzgerald gave the following presentation:

The subject property is located at 15226 & 15236 Old US Hwy 441, south of Old 441, east of David Walker Dr., and is approximately 0.44 acres in size. Each parcel of property has one (1) building and has a land use designation of Lake County Urban High Density. The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to

change the designation of said property from Lake County Urban High Density to City Commercial (COM).

Ordinance 2023-10 proposes a small-small scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Lake County Urban High Density to City Commercial (COM).

The subject property is adjacent to a mixture of industrial, commercial, and residential uses. An application to annex and rezone this property to a Highway Commercial (-2) designation is concurrently under consideration.

The city is required to place a future land use designation on annexed property. The subject property is currently designated Lake County Urban High Density. A Commercial (COM) designation is compatible with surrounding property and County Future Land Use.

The land surrounding this property is residential, commercial, and industrial in nature.

The property currently contains one (1) building on each parcel.

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1) A commercial (COM) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2) Impacts of any proposed development of the subject property shall be monitored through the City's Concurrency Management System (Comp. Plan, Chapter 8).*

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-10, a Future Land Use Map amendment from Lake County Urban High Density to City Commercial (COM) for 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

Chairman Santoro asked for comments from the public. There were none.

Chairman Santoro asked for comments from the Board. There were none.

MOTION

James Sweezee moved to recommend approval of Ordinance 2023-10, seconded by Deborah Murphy. The motion carried unanimously 5-0.

- 3) Recommendation on Ordinance 2023-01 – TPO-FL, LLC – Rezoning of Approximately 01.05 Acres Located South of Madison Street, West of Orange Ave.**

Mr. Fitzgerald gave the following presentation:

The subject property consists of approximately 01.05 acres of property located south of Madison Street, west of Orange Avenue. The property is currently zoned as Residential Single Family (RSF-1), and the applicant is proposing that the property be rezoned to Highway Commercial (C-2).

The proposed zoning of Highway Commercial (C-2) is compatible with the commercial zoning that abuts the subject property and US Hwy 441. The applicant at this time envisions the demolition of existing structures, and the construction of a new convenience store with fuel pumps. The proposed use is allowable under the Highway Commercial (C-2) zoning. The site will be designed with access points on US Hwy 441 and Orange Avenue and will include landscape buffering per the City's Land Development Regulations. The total site construction area is 01.99 acres, which includes property abutting US Hwy 441 already zoned as Highway Commercial (C-2) and the 01.05 acres of property under consideration for rezoning.

The environmental assessment submitted by Stonefield Engineering & Design, LLC does not indicate any adverse impact on the level of service for surrounding roadways with the inclusion of certain roadway improvements such as modifications to the turn lanes on US Hwy 441 and Orange Avenue.

Development of the property will be in accordance with the City's Land Development Regulations. Prior to the issuance of any Building Permits for this property, compliance with all applicable regulations will be required.

The City is concurrently processing a future land use map amendment to re-designate the property from Residential Low Density (LOW) to Commercial (COM) on the Future Land Use Map 2040.

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-01 rezoning approximately 01.05 acres of property located south of Madison Street, west of Orange Avenue from Residential Single Family (RSF-1) to Highway Commercial (C-2).

Chairman Santoro asked for comments from the public.

Michael Pennell, Stonefield Engineering & Design, LLC, 400 N. Ashley Dr, Tampa, FL, Applicant, gave a brief overview of the project.

Christian Landa, 701 Madison Street, noted he owns and lives at the residential property directly next to the subject property. He stated his concerns about increased traffic, drug activity, and decreased property value. He noted the presence of numerous children in the neighborhood and safety concerns.

Bill Millikin, 707 Madison St, noted the concern of speed, level of traffic, and Semi-trucks traveling on Madison Street. He stated he would like speed bumps in the neighborhood regardless of development.

Jamie Reid, 720 Madison St, noted she agrees with all comments previously made and stated there is too much traffic currently. Stated her disapproval of the project.

Chairman Santoro closed public comment.

Board Member Peterman agreed with previous comments and noted his concern pertaining to the level of traffic and traffic patterns. He stated adding a gas station will add to the traffic congestion and noted he was not certain if it is an ideal place for a gas station.

Board Member Matthews asked for the size of the full property and an explanation of the wall. Mr. Fitzgerald stated the size of the total property size is 01.99 acres. He stated a 6-foot wall would be built between the property and the residential area and would be subject to landscape regulations.

Mr. Pennell stated there would be no access on Madison Street to the subject property.

Board Member Sweeza noted traffic concerns on Madison Street and Orange Avenue.

Vice-Chairman Murphy noted her concern about volume of traffic in the area and the location of the project.

Chairman Santoro stated he agrees with the Board Members' comments and noted it is not the right place for the project. He asked where the fuel tanks and valves will be located and what it would take for no commercial vehicles to drive on Madison Avenue. Mr. Pennell stated the gas tanks will be located at the southernmost point of the property and will be vented on US Hwy 441.

Mr. Fitzgerald stated the site plan has not been submitted to date and he would look into no commercial vehicles on Madison Avenue.

MOTION

Deborah Murphy moved to deny recommendation on Ordinance 2023-01, seconded by Brooke Matthews.

Chairman Santoro noted his concern for the health, safety, and well-being of the residents and asked to have the motion amended with that stated. Vice-Chairman Murphy confirmed.

Mr. Pennell stated the traffic study was approved.

Board Member Sweeza noted his concern is traffic, not Wawa.

MOTION

Deborah Murphy moved to deny recommendation on Ordinance 2023-01 for the health, safety, and well-being of the residents, seconded by Brooke Matthews. The motion carried unanimously 5-0.

4) Recommendation on Ordinance 2023-03 – TPO-FL, LLC – SSSFLUM Amendment of Approximately 01.05 Acres Located South of Madison Street, West of Orange Avenue.

Mr. Fitzgerald gave the following presentation:

The subject property is located south of Madison Street, west of Orange Avenue, and is approximately 01.05 acres in size. The land presently has (1) building and has a land use designation of Low Density (LOW). The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Low Density (LOW) to Commercial (COM).

Ordinance 2023-02 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Low Density (LOW) to Commercial (COM).

The subject property is adjacent to a mixture of residential and commercial uses. An application to rezone this property to Highway Commercial (C-2) designation is concurrently under consideration.

The city is required to place a future land use designation on annexed property. The subject property is currently designated Low Density (LOW). A commercial (COM) designation is compatible with surrounding property and County future land use.

The land surrounding this property is residential and commercial in nature.

The property currently contains one (1) building.

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility services available for the subject parcel. The City's Concurrence Management System will ensure that Levels of Services (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1) A Commercial (COM) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2) Impacts of the proposed development of the subject property shall be monitored through the City's Concurrence Management System (Comp Plan, Chapter 8).*

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-02, a Future Land Use Map amendment from Low Density (LOW) to Commercial (COM) for 01.05 acres located south of Madison Street, west of Orange Avenue.

Chairman Santoro asked for comments from the public. There was none.

Chairman Santoro asked for comments from the Board.

Chairman Santoro asked for clarification if Ordinance 2023-02 would have to be denied as well. Attorney Holt stated it is not required to be denied.

Board Member Sweeza noted a preference to approve Ordinance 2023-02.

Vice-Chairman Murphy stated her preference to keep the subject property as residential zoning.

MOTION

James Sweeza moved to deny the recommendation of Ordinance 2023-02, seconded by Bruce Peterman. The motion carried unanimously 5-0.

OTHER BUSINESS

None.

PUBLIC COMMENT

Bill Millikin thanked the Planning and Zoning Board.

ADJOURNMENT

MOTION

James Sweeza moved to adjourn the meeting at 3:42 p.m., seconded by Brooke Matthews. The motion carried unanimously 5-0.

Respectfully Submitted,

Jillian Roberts,
Deputy City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 7

SUBJECT TITLE: Ordinance 2023-01 - TPO-FL, LLC - Rezoning of Approximately 01.05 Acres Located South of Madison Street, West of Orange Avenue (Community Development)

OBJECTIVE:

To consider the rezoning of approximately 01.05 acres of property located south of Madison Street, west of Orange Avenue from Residential Single Family (RSF-1) to Highway Commercial (C-2).

SUMMARY:

The subject property consists of approximately 01.05 acres of property located south of Madison Street, west of Orange Avenue. The property is currently zoned as Residential Single Family (RSF-1), and the applicant is proposing that the property be rezoned to Highway Commercial (C-2).

The proposed zoning of Highway Commercial (C-2) is compatible with the commercial zoning that currently abuts the subject property and US Hwy 441. The applicant at this time envisions the demolition of existing structures, and the construction of a new convenience store with fuel pumps. The proposed use is allowable under the Highway Commercial (C-2) zoning. The site will be designed with access points on US Hwy 441 and Orange Avenue. Effective access to the site will include the addition of a right turn lane on US-441, modifications to existing turn lanes on US-441 and Orange Avenue, traffic signal timing adjustments, and new signage. In an effort to preserve the character of the residential neighborhood that currently abuts Highway Commercial (C-2) zoning, no direct access onto Madison Street will be permitted. Where the site abuts Madison Street and the residential use, a landscape buffer including a six foot (6') decorative wall will be installed per the City's Land Development Regulations. The total site construction area is 01.99 acres, which includes property abutting US Hwy 441 already zoned as Highway Commercial (C-2) and the 01.05 acres of property under consideration for rezoning. The proposal is consistent with the City's Economic Development Strategy and Comprehensive Plan which supports Highway Commercial development along the US-441 corridor.

The environmental assessment submitted by ECS Florida, LLC indicates no adverse conditions or environmental concerns with the property. Prior to any development, the property owner must comply with all Florida Fish and Wildlife Conservation Commission provisions as they pertain to threatened species.

The traffic analysis submitted by Stonefield Engineering & Design, LLC does not indicate an adverse impact on the level of service for surrounding roadways. The report states that the site-generated trips of the proposed development would consist largely of "pass-by" trips as opposed to new vehicles on the roadway. The report includes a recommendation for certain roadway improvements, including modifications to the turn lanes on US Hwy 441 and Orange Avenue, signal timing adjustments, and signage.

Development of the property will be in accordance with the City's Land Development Regulations. Prior to the issuance of any Building Permits for this property, compliance with all applicable regulations will

be required.

The City is concurrently processing a future land use map amendment to re-designate the property from Residential Low Density (LOW) to Commercial (COM) on the Future Land Use Map 2040.

OPTIONS:

1. City Council moves to approve Ordinance 2023-01 rezoning approximately 01.05 acres of property located south of Madison Street, west of Orange Avenue from Residential Single Family (RSF-1) to Highway Commercial (C-2).

2. City Council moves to deny Ordinance 2023-01.

STAFF RECOMMENDATION:

At their April 20th meeting, the Planning & Zoning Board voted unanimously to recommend denial of Ordinance 2023-01.

Staff recommends that City Council moves to approve Ordinance 2023-01 rezoning approximately 01.05 acres of property located south of Madison Street, west of Orange Avenue from Residential Single Family (RSF-1) to Highway Commercial (C-2).

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2023-01
2. Aerial Map
3. Zoning Map
4. Conceptual Plan
5. Fuel Delivery Circulation Plan
6. Site Construction Area Map
7. 4-20-2023 P&Z Meeting Minutes
8. Newspaper Ad - 4-9-23

ORDINANCE 2023-01

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 01.05 ACRES OF PROPERTY LOCATED SOUTH OF MADISON STREET, WEST OF ORANGE AVENUE, FROM RESIDENTIAL SINGLE FAMILY (RSF-1) TO HIGHWAY COMMERCIAL (C-2); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owners of the property legally described in “**Exhibit A**” of this Ordinance have applied for the rezoning of this land from Residential Single-Family (RSF-1) to Highway Commercial (C-2); and

WHEREAS, the City is concurrently processing an amendment to the City’s Comprehensive Plan to re-designate the property from Low Density (LOW) to Commercial (COM) on the Future Land Use Map 2040; and

WHEREAS, the City of Tavares held these duly noticed public hearings before the Planning and Zoning Board and the City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed amended zoning; and

WHEREAS, the City Council has reviewed and considered all relevant evidence, information and testimony presented by witnesses, the public, and City staff; and

WHEREAS, the City Council finds this amendment in compliance with the City of Tavares’ Land Development Regulations and Comprehensive Plan; now therefore

BE IT ORDAINED by the City Council of the City of Tavares, Florida, as follows:

Section 1. Rezoning

The said properties, as legally defined in **Exhibit “A”**, attached hereto and made a part herewith, are hereby rezoned from Residential Single-Family (RSF-1) to Highway Commercial (C-2).

Section 2. Severability.

Upon a determination by a court of competent jurisdiction that a portion of this ordinance is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect.

Section 3. Effective Date.

This Ordinance shall take effect immediately upon its final adoption by the Tavares City Council.

PASSED AND ORDAINED this _____ of _____, 2023, by the City Council of the City of Tavares, Florida.

Walter B. Price, Sr., Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

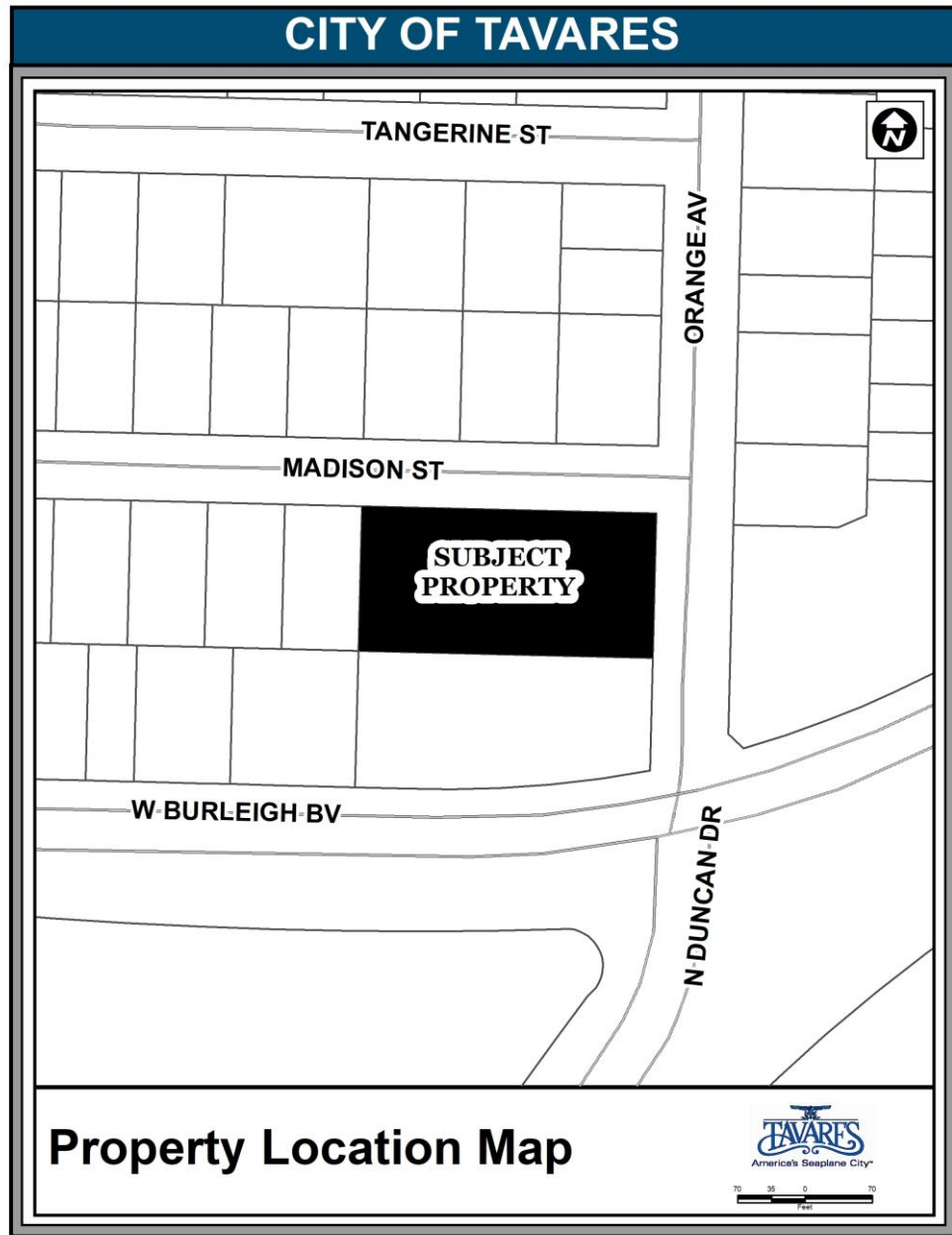
Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

Exhibit "A"

LOTS 13, 14, 15, 16, 17 AND 18, BLOCK E, MAP OF LAKEWOOD PARK ADDITION TO THE CITY OF TAVARES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 1, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.



**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET
APRIL 20, 2023**

BOARD MEMEBERS PRESENT

Gary Santoro, Chairman
Deborah Murphy, Vice-Chairman
Dian Joy, Board Member - Absent
Bruce Peterman, Board Member
Brooke Matthews, Board Member
James Sweeza, Board Member
Dara Treadwell, Board Member - Absent

LAKE COUNTY SCHOOL BOARD

Helen LaValley – Absent

STAFF MEMBERS PRESENT

Antonio Fabre – Community Development Deputy Director
Mike Fitzgerald – Community Development Director
Lindsay Holt, City Attorney
Jillian Roberts, Deputy City Clerk

CALL TO ORDER

Chairman Santoro called the meeting to order at 3:00 p.m. and asked those present to silence their cell phones. He led those present in the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections to the March 16, 2023 Planning and Zoning meeting minutes.

MOTION

James Sweeza moved to approve the minutes of the March 16, 2023 Planning and Zoning Board Meeting, seconded by Bruce Peterman. The motion carried unanimously 5-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Attorney Holt swore in those who were present and wished to provide testimony.

Attorney Holt asked the Board Members if there were any ex-parte communications. There were none.

PUBLIC HEARING

1) **Recommendation on Ordinance 2023-09 – S&S Holdings of Florida LLC / SHREE SAI 9 Inc. – Annexation & Rezoning Approximately 0.44 Acres Located at 15226 & 15236 Old US HWY 441**

Mr. Fitzgerald gave the following presentation:

The subject property is approximately 0.44 acres located at 15226 & 15236 Old US Hwy 441, south of Old US Hwy 441, east of David Walker Drive. Both parcels of property are presently zoned as Lake County Light Industrial District (LM). The applicant is proposing that the property be annexed and rezoned to City Highway Commercial (C-2).

The proposed zoning of Highway Commercial (C-2) is compatible with the surrounding zoning and accommodates pre-existing use of the property. The property is adjacent to parcels designated as industrial and is in close proximity to residential zoning. Both parcels are developed, and each parcel contains an existing commercial building that has operated as an auto repair shop and a convenience store.

The annexation of this property has been reviewed per the City's Annexation Policy. It has been determined by City staff that the property may be property serviced by the City without undue hardship or significant negative fiscal impact on the City. City water and sewer service is available to the property, and the property owner has applied to connect to City utilities.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban High Density to City of Tavares Commercial (COM) on the Future Land Use Map 2040.

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-09 annexation and rezoning to Highway Commercial (C-2) approximately 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

Chairman Santoro asked for comments from the public. There were none.

Chairman Santoro asked for comments from the Board. There were none.

MOTION

James Sweezea moved to recommend approval of Ordinance 2023-09, seconded by Brooke Matthews. The motion carried unanimously 5-0.

2) **Recommendation on Ordinance 2023-01 – S&S Holdings of Florida LLC / SHREE SAI 9 Inc. – SSFLUM Amendment of Approximately 0.44 Acres Located at 15226 & 15236 Old US Hwy 441**

Mr. Fitzgerald gave the following presentation:

The subject property is located at 15226 & 15236 Old US Hwy 441, south of Old 441, east of David Walker Dr., and is approximately 0.44 acres in size. Each parcel of property has one (1) building and has a land use designation of Lake County Urban High Density. The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to

change the designation of said property from Lake County Urban High Density to City Commercial (COM).

Ordinance 2023-10 proposes a small-small scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Lake County Urban High Density to City Commercial (COM).

The subject property is adjacent to a mixture of industrial, commercial, and residential uses. An application to annex and rezone this property to a Highway Commercial (-2) designation is concurrently under consideration.

The city is required to place a future land use designation on annexed property. The subject property is currently designated Lake County Urban High Density. A Commercial (COM) designation is compatible with surrounding property and County Future Land Use.

The land surrounding this property is residential, commercial, and industrial in nature.

The property currently contains one (1) building on each parcel.

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1) A commercial (COM) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2) Impacts of any proposed development of the subject property shall be monitored through the City's Concurrency Management System (Comp. Plan, Chapter 8).*

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-10, a Future Land Use Map amendment from Lake County Urban High Density to City Commercial (COM) for 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

Chairman Santoro asked for comments from the public. There were none.

Chairman Santoro asked for comments from the Board. There were none.

MOTION

James Sweezee moved to recommend approval of Ordinance 2023-10, seconded by Deborah Murphy. The motion carried unanimously 5-0.

- 3) Recommendation on Ordinance 2023-01 – TPO-FL, LLC – Rezoning of Approximately 01.05 Acres Located South of Madison Street, West of Orange Ave.**

Mr. Fitzgerald gave the following presentation:

The subject property consists of approximately 01.05 acres of property located south of Madison Street, west of Orange Avenue. The property is currently zoned as Residential Single Family (RSF-1), and the applicant is proposing that the property be rezoned to Highway Commercial (C-2).

The proposed zoning of Highway Commercial (C-2) is compatible with the commercial zoning that abuts the subject property and US Hwy 441. The applicant at this time envisions the demolition of existing structures, and the construction of a new convenience store with fuel pumps. The proposed use is allowable under the Highway Commercial (C-2) zoning. The site will be designed with access points on US Hwy 441 and Orange Avenue and will include landscape buffering per the City's Land Development Regulations. The total site construction area is 01.99 acres, which includes property abutting US Hwy 441 already zoned as Highway Commercial (C-2) and the 01.05 acres of property under consideration for rezoning.

The environmental assessment submitted by Stonefield Engineering & Design, LLC does not indicate any adverse impact on the level of service for surrounding roadways with the inclusion of certain roadway improvements such as modifications to the turn lanes on US Hwy 441 and Orange Avenue.

Development of the property will be in accordance with the City's Land Development Regulations. Prior to the issuance of any Building Permits for this property, compliance with all applicable regulations will be required.

The City is concurrently processing a future land use map amendment to re-designate the property from Residential Low Density (LOW) to Commercial (COM) on the Future Land Use Map 2040.

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-01 rezoning approximately 01.05 acres of property located south of Madison Street, west of Orange Avenue from Residential Single Family (RSF-1) to Highway Commercial (C-2).

Chairman Santoro asked for comments from the public.

Michael Pennell, Stonefield Engineering & Design, LLC, 400 N. Ashley Dr, Tampa, FL, Applicant, gave a brief overview of the project.

Christian Landa, 701 Madison Street, noted he owns and lives at the residential property directly next to the subject property. He stated his concerns about increased traffic, drug activity, and decreased property value. He noted the presence of numerous children in the neighborhood and safety concerns.

Bill Millikin, 707 Madison St, noted the concern of speed, level of traffic, and Semi-trucks traveling on Madison Street. He stated he would like speed bumps in the neighborhood regardless of development.

Jamie Reid, 720 Madison St, noted she agrees with all comments previously made and stated there is too much traffic currently. Stated her disapproval of the project.

Chairman Santoro closed public comment.

Board Member Peterman agreed with previous comments and noted his concern pertaining to the level of traffic and traffic patterns. He stated adding a gas station will add to the traffic congestion and noted he was not certain if it is an ideal place for a gas station.

Board Member Matthews asked for the size of the full property and an explanation of the wall. Mr. Fitzgerald stated the size of the total property size is 01.99 acres. He stated a 6-foot wall would be built between the property and the residential area and would be subject to landscape regulations.

Mr. Pennell stated there would be no access on Madison Street to the subject property.

Board Member Sweeza noted traffic concerns on Madison Street and Orange Avenue.

Vice-Chairman Murphy noted her concern about volume of traffic in the area and the location of the project.

Chairman Santoro stated he agrees with the Board Members' comments and noted it is not the right place for the project. He asked where the fuel tanks and valves will be located and what it would take for no commercial vehicles to drive on Madison Avenue. Mr. Pennell stated the gas tanks will be located at the southernmost point of the property and will be vented on US Hwy 441.

Mr. Fitzgerald stated the site plan has not been submitted to date and he would look into no commercial vehicles on Madison Avenue.

MOTION

Deborah Murphy moved to deny recommendation on Ordinance 2023-01, seconded by Brooke Matthews.

Chairman Santoro noted his concern for the health, safety, and well-being of the residents and asked to have the motion amended with that stated. Vice-Chairman Murphy confirmed.

Mr. Pennell stated the traffic study was approved.

Board Member Sweeza noted his concern is traffic, not Wawa.

MOTION

Deborah Murphy moved to deny recommendation on Ordinance 2023-01 for the health, safety, and well-being of the residents, seconded by Brooke Matthews. The motion carried unanimously 5-0.

4) Recommendation on Ordinance 2023-03 – TPO-FL, LLC – SSSFLUM Amendment of Approximately 01.05 Acres Located South of Madison Street, West of Orange Avenue.

Mr. Fitzgerald gave the following presentation:

The subject property is located south of Madison Street, west of Orange Avenue, and is approximately 01.05 acres in size. The land presently has (1) building and has a land use designation of Low Density (LOW). The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Low Density (LOW) to Commercial (COM).

Ordinance 2023-02 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Low Density (LOW) to Commercial (COM).

The subject property is adjacent to a mixture of residential and commercial uses. An application to rezone this property to Highway Commercial (C-2) designation is concurrently under consideration.

The city is required to place a future land use designation on annexed property. The subject property is currently designated Low Density (LOW). A commercial (COM) designation is compatible with surrounding property and County future land use.

The land surrounding this property is residential and commercial in nature.

The property currently contains one (1) building.

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility services available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Services (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1) A Commercial (COM) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2) Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System (Comp Plan, Chapter 8).*

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-02, a Future Land Use Map amendment from Low Density (LOW) to Commercial (COM) for 01.05 acres located south of Madison Street, west of Orange Avenue.

Chairman Santoro asked for comments from the public. There was none.

Chairman Santoro asked for comments from the Board.

Chairman Santoro asked for clarification if Ordinance 2023-02 would have to be denied as well. Attorney Holt stated it is not required to be denied.

Board Member Sweeza noted a preference to approve Ordinance 2023-02.

Vice-Chairman Murphy stated her preference to keep the subject property as residential zoning.

MOTION

James Sweeza moved to deny the recommendation of Ordinance 2023-02, seconded by Bruce Peterman. The motion carried unanimously 5-0.

OTHER BUSINESS

None.

PUBLIC COMMENT

Bill Millikin thanked the Planning and Zoning Board.

ADJOURNMENT

MOTION

James Sweeza moved to adjourn the meeting at 3:42 p.m., seconded by Brooke Matthews. The motion carried unanimously 5-0.

Respectfully Submitted,

Jillian Roberts,
Deputy City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 8

SUBJECT TITLE: Ordinance 2023-02 - TPO-FL, LLC - SSFLUM Amendment of Approximately 01.05 Acres Located South of Madison Street, West of Orange Avenue (Community Development)

OBJECTIVE:

To consider a Future Land Use Map amendment from Low Density (LOW) to Commercial (COM) for 01.05 acres located south of Madison Street, west of Orange Avenue.

SUMMARY:

The subject property is located south of Madison Street, west of Orange Avenue, and is approximately 01.05 acres in size. The land presently has one (1) building and has a land use designation of Low Density (LOW). The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Low Density (LOW) to Commercial (COM).

Ordinance 2023-02 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Low Density (LOW) to Commercial (COM).

The subject property is adjacent to a mixture of residential and commercial uses. An application to rezone this property to a Highway Commercial (C-2) designation is concurrently under consideration.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated Low Density (LOW). A Commercial (COM) designation is compatible with surrounding property and County future land use.

Compatibility

The land surrounding this property is residential and commercial in nature.

Site Conditions

The property currently contains one (1) building.

Impact on City Services

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

FINDINGS

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Commercial (COM) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.
2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)

OPTIONS:

1. City Council moves to approve Ordinance 2023-02, a Future Land Use Map amendment from Low Density (LOW) to Commercial (COM) for 01.05 acres located south of Madison Street, west of Orange Avenue.
2. City Council moves to deny Ordinance 2023-02.

STAFF RECOMMENDATION:

At their April 20th meeting, the Planning & Zoning Board voted unanimously to recommend denial of Ordinance 2023-02.

Staff recommends that City Council moves to approve Ordinance 2023-02, a Future Land Use Map amendment from Low Density (LOW) to Commercial (COM) for 01.05 acres located south of Madison Street, west of Orange Avenue.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2023-02
2. FLU Map
3. 4-20-2023 P&Z Meeting Minutes

ORDINANCE 2023-02

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 01.05 ACRES OF PROPERTY FROM LOW DENSITY (LOW) TO COMMERCIAL (COM) FOR PROPERTY LOCATED SOUTH OF MADISON STREET, WEST OF ORANGE AVENUE; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property described in Exhibit “A” attached hereto, is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Low Density (LOW) to Commercial (COM); and

WHEREAS, the property consists of less than fifty acres; and

WHEREAS, the City of Tavares has advertised as required by law for two public hearings prior to adoption of this ordinance; and

WHEREAS, the City has held such public hearings and the records of the City provide that the owners of the land affected have been notified as required by law; and

WHEREAS, a Commercial Future Land Use designation is compatible with surrounding designations and such designation is compatible with both City of Tavares and Lake County surrounding future land use designations; and

WHEREAS, the City of Tavares Planning and Zoning Board, Local Planning Agency, and City Council held duly noticed public hearings providing opportunity for individuals to hear and be heard regarding the adoption of the proposed map amendment; and,

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and,

WHEREAS, the City Council finds this amendment in compliance with Chapter 163, Florida Statutes, and the City of Tavares Comprehensive Plan; and

WHEREAS, adoption of this amendment is in the best interest of the health, safety, and general welfare of the citizens of Tavares.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Tavares, Florida as follows

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map of the City of Tavares, Florida, is hereby amended to reflect a re-designation from Low Density (LOW) to Commercial (COM) on certain real property as legally described in Exhibit "A". All provisions of the Comprehensive Plan shall hereby apply to said property.

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Transmittal

The City Administrator is hereby authorized and directed to transmit the adopted Comprehensive Plan amendments to the Florida Department of Economic Opportunity, the East Central Florida Regional Planning Council, the St. Johns River Water Management District, the Department of Environmental Protection, the Florida Department of Transportation, and any other governmental agency in the State of Florida that has filed a written request with the City Council for a copy of the Comprehensive Plan within 10 working days of the adoption of this Ordinance as specified in the State Land Planning Agency's procedural rules.

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED this _____ day of _____, 2023 by the City Council of the City of Tavares, Florida.

Walter B. Price, Sr., Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

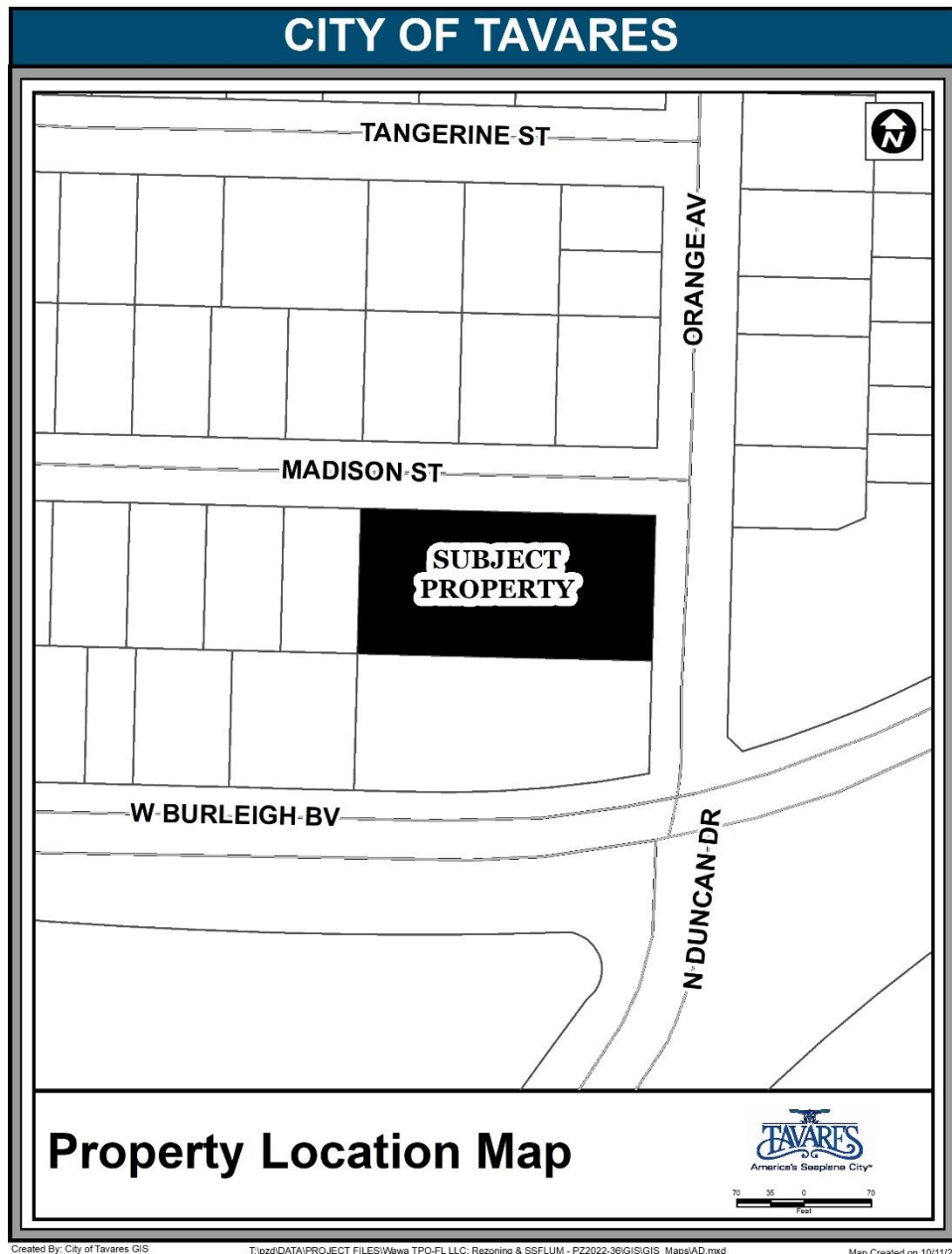
Susie Novack, City Clerk

Approved as to form:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

LOTS 13, 14, 15, 16, 17 AND 18, BLOCK E, MAP OF LAKEWOOD PARK ADDITION TO THE CITY OF TAVARES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 1, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.



**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET
APRIL 20, 2023**

BOARD MEMEBERS PRESENT

Gary Santoro, Chairman
Deborah Murphy, Vice-Chairman
Dian Joy, Board Member - Absent
Bruce Peterman, Board Member
Brooke Matthews, Board Member
James Sweeza, Board Member
Dara Treadwell, Board Member - Absent

LAKE COUNTY SCHOOL BOARD

Helen LaValley – Absent

STAFF MEMBERS PRESENT

Antonio Fabre – Community Development Deputy Director
Mike Fitzgerald – Community Development Director
Lindsay Holt, City Attorney
Jillian Roberts, Deputy City Clerk

CALL TO ORDER

Chairman Santoro called the meeting to order at 3:00 p.m. and asked those present to silence their cell phones. He led those present in the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections to the March 16, 2023 Planning and Zoning meeting minutes.

MOTION

James Sweeza moved to approve the minutes of the March 16, 2023 Planning and Zoning Board Meeting, seconded by Bruce Peterman. The motion carried unanimously 5-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Attorney Holt swore in those who were present and wished to provide testimony.

Attorney Holt asked the Board Members if there were any ex-parte communications. There were none.

PUBLIC HEARING

1) **Recommendation on Ordinance 2023-09 – S&S Holdings of Florida LLC / SHREE SAI 9 Inc. – Annexation & Rezoning Approximately 0.44 Acres Located at 15226 & 15236 Old US HWY 441**

Mr. Fitzgerald gave the following presentation:

The subject property is approximately 0.44 acres located at 15226 & 15236 Old US Hwy 441, south of Old US Hwy 441, east of David Walker Drive. Both parcels of property are presently zoned as Lake County Light Industrial District (LM). The applicant is proposing that the property be annexed and rezoned to City Highway Commercial (C-2).

The proposed zoning of Highway Commercial (C-2) is compatible with the surrounding zoning and accommodates pre-existing use of the property. The property is adjacent to parcels designated as industrial and is in close proximity to residential zoning. Both parcels are developed, and each parcel contains an existing commercial building that has operated as an auto repair shop and a convenience store.

The annexation of this property has been reviewed per the City's Annexation Policy. It has been determined by City staff that the property may be property serviced by the City without undue hardship or significant negative fiscal impact on the City. City water and sewer service is available to the property, and the property owner has applied to connect to City utilities.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban High Density to City of Tavares Commercial (COM) on the Future Land Use Map 2040.

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-09 annexation and rezoning to Highway Commercial (C-2) approximately 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

Chairman Santoro asked for comments from the public. There were none.

Chairman Santoro asked for comments from the Board. There were none.

MOTION

James Sweezea moved to recommend approval of Ordinance 2023-09, seconded by Brooke Matthews. The motion carried unanimously 5-0.

2) **Recommendation on Ordinance 2023-01 – S&S Holdings of Florida LLC / SHREE SAI 9 Inc. – SSFLUM Amendment of Approximately 0.44 Acres Located at 15226 & 15236 Old US Hwy 441**

Mr. Fitzgerald gave the following presentation:

The subject property is located at 15226 & 15236 Old US Hwy 441, south of Old 441, east of David Walker Dr., and is approximately 0.44 acres in size. Each parcel of property has one (1) building and has a land use designation of Lake County Urban High Density. The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to

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The subject property is adjacent to a mixture of industrial, commercial, and residential uses. An application to annex and rezone this property to a Highway Commercial (-2) designation is concurrently under consideration.

The city is required to place a future land use designation on annexed property. The subject property is currently designated Lake County Urban High Density. A Commercial (COM) designation is compatible with surrounding property and County Future Land Use.

The land surrounding this property is residential, commercial, and industrial in nature.

The property currently contains one (1) building on each parcel.

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

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Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-10, a Future Land Use Map amendment from Lake County Urban High Density to City Commercial (COM) for 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

Chairman Santoro asked for comments from the public. There were none.

Chairman Santoro asked for comments from the Board. There were none.

MOTION

James Sweeza moved to recommend approval of Ordinance 2023-10, seconded by Deborah Murphy. The motion carried unanimously 5-0.

- 3) Recommendation on Ordinance 2023-01 – TPO-FL, LLC – Rezoning of Approximately 01.05 Acres Located South of Madison Street, West of Orange Ave.**

Mr. Fitzgerald gave the following presentation:

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The environmental assessment submitted by Stonefield Engineering & Design, LLC does not indicate any adverse impact on the level of service for surrounding roadways with the inclusion of certain roadway improvements such as modifications to the turn lanes on US Hwy 441 and Orange Avenue.

Development of the property will be in accordance with the City's Land Development Regulations. Prior to the issuance of any Building Permits for this property, compliance with all applicable regulations will be required.

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MOTION

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The land surrounding this property is residential and commercial in nature.

The property currently contains one (1) building.

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility services available for the subject parcel. The City's Concurrence Management System will ensure that Levels of Services (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1) A Commercial (COM) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2) Impacts of the proposed development of the subject property shall be monitored through the City's Concurrence Management System (Comp Plan, Chapter 8).*

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2023-02, a Future Land Use Map amendment from Low Density (LOW) to Commercial (COM) for 01.05 acres located south of Madison Street, west of Orange Avenue.

Chairman Santoro asked for comments from the public. There was none.

Chairman Santoro asked for comments from the Board.

Chairman Santoro asked for clarification if Ordinance 2023-02 would have to be denied as well. Attorney Holt stated it is not required to be denied.

Board Member Sweeza noted a preference to approve Ordinance 2023-02.

Vice-Chairman Murphy stated her preference to keep the subject property as residential zoning.

MOTION

James Sweeza moved to deny the recommendation of Ordinance 2023-02, seconded by Bruce Peterman. The motion carried unanimously 5-0.

OTHER BUSINESS

None.

PUBLIC COMMENT

Bill Millikin thanked the Planning and Zoning Board.

ADJOURNMENT

MOTION

James Sweeza moved to adjourn the meeting at 3:42 p.m., seconded by Brooke Matthews. The motion carried unanimously 5-0.

Respectfully Submitted,

Jillian Roberts,
Deputy City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 9

SUBJECT TITLE: Ordinance 2023-08 - Dissolution of the Leela Reserve Community Development District (Community Development)

OBJECTIVE:

To consider approving the dissolution of the Community Development District for the Leela Reserve Subdivision located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.

SUMMARY:

On September 21, 2022, City Council approved Ordinance 2022-13 establishing a Community Development District (CDD) for the purpose of financing and constructing community-wide infrastructure for the Leela Reserve subdivision. At this time, the CDD has no outstanding financial obligations and no operating or maintenance responsibilities, and the developer of Leela Reserve has requested that the Community Development District be dissolved in accordance with Florida Statutes Section 190.046(10). Ordinance 2023-08 proposes the dissolution of the Leela Reserve Community Development District.

OPTIONS:

1. City Council moves to approve Ordinance 2023-08 dissolution of the Community Development District for the Leela Reserve Subdivision located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.
2. City Council moves to deny Ordinance 2023-08.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2023-08 dissolution of the Community Development District for the Leela Reserve Subdivision located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2023-08
2. Exhibit "A" - Property Legal Description
3. Exhibit "B" - Plan of Termination
4. Newspaper Ad - 4-26-23

Attachments not provided are available to the public upon request to the City Clerk.

ORDINANCE 2023-08

A NON-EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA PROVIDING FOR THE DISSOLUTION OF THE LEELA RESERVE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO SECTION 190.046(10), FLORIDA STATUTES; PROVIDING FOR THE TERMINATION OF ALL THE COMMUNITY DEVELOPMENT SERVICES OF THE LEELA RESERVE COMMUNITY DEVELOPMENT DISTRICT IN ACCORD WITH A PLAN OF TERMINATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Leela Reserve Community Development District (the “District”) was established by Ordinance No. 2022-13 of the City Council of the City of Tavares, Florida, pursuant to Chapter 190, *Florida Statutes*, effective September 21, 2022, over the real property described in **Exhibit “A”**; and

WHEREAS, the District is located wholly within the boundaries the City of Tavares, Florida (the “City”); and

WHEREAS, the District does not presently have any outstanding financial obligations, and does not have any operating or maintenance responsibilities; and

WHEREAS, the District does not presently own any real property or infrastructure improvements; and

WHEREAS, the District does not presently have any outstanding bonds, notes or other debt instruments; and

WHEREAS, the District does not presently have any debt service special assessments levied against the assessable real property located within the District; and

WHEREAS, the dissolution of the District will not harm or otherwise injure any interests of the current owners of land, nor harm nor otherwise injure any interests of any other party within or without the District; and

WHEREAS, the District’s Board of Supervisors (the “Board”) and the owners of one-hundred percent (100%) of the lands within the District desire the City pass this non-emergency Ordinance (the “Ordinance”) providing for the termination of all community development services of the District and to provide for the dissolution of the District in accord with Section 190.046(10), *Florida Statutes*; and

WHEREAS, the District’s Board has adopted Resolution 2023-28 adopting a Plan of Termination (the “Plan”) and expressing the District’s desire that the City adopt the same Plan, which Plan is attached to this Ordinance as **Exhibit “B.”**

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Tavares, Florida in lawful session assembled, as follows:

Section 1. **Legislative Findings.** The Board hereby adopts the "WHEREAS" clauses stated above as legislative findings in support of this Ordinance.

Section 2. **Authority.** This Ordinance is adopted in compliance and pursuant to the Uniform Community Development Act of 1980 codified in Chapter 190, *Florida Statutes*.

Section 3. **Adoption of Plan of Termination.** The City hereby approves and adopts the Plan, attached to this Ordinance as **Exhibit "B."**

Section 4. **Dissolution of the District.** Once all community development services of the District have been terminated and upon compliance with all the terms of the Plan, the District shall file a copy of the Plan and this Ordinance with the Florida Department of Economic Opportunity. Upon the filing of the Plan and this Ordinance with the Florida Department of Economic Opportunity, the District is dissolved without further action by either the City or the District.

Section 5. **Severability.** If any provision of this Ordinance or the application thereof is finally determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

Section 6. **Conflicting Ordinances.** All ordinances in conflict herewith are repealed.

Section 7. **Effective Date.** This Ordinance shall take effect immediately upon passage.

[Remainder of Page Intentionally Left Blank]

PASSED AND ADOPTED by the City Council of the City of Tavares, Lake County, Florida on this ____ day of _____, 2023.

CITY OF TAVARES, FLORIDA

By: _____
Walter B. Price, Sr., Mayor

ATTEST:

Susie Novack, MMC/FCRM
City Clerk
(SEAL)

APPROVED AS TO FORM AND LEGALITY:
_____, 2023

Lindsay C. T. Holt, City Attorney

Exhibit “A”

Legal Description

[Attached.]

Exhibit “B”

Plan of Termination

[Attached.]

Exhibit "A"

THAT PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4619, PAGES 1709 THROUGH 1719, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; ALSO BEING PORTIONS OF THE VACATED LOTS, BLOCKS, STREETS, ROADS AND RIGHTS OF WAY AS SHOWN ON THE PLAT OF THE LAND OF LANE AND JACKSON AND OTHERS AS RECORDED IN PLAT BOOK 7, PAGE 52, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; TOGETHER WITH PORTIONS OF THE VACATED LOTS, BLOCKS, STREETS, ROADS AND RIGHTS OF WAY AS SHOWN ON TOWN PLAT OF LANE PARK AS RECORDED IN PLAT BOOK 1, PAGE 39, OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, PER RESOLUTION 2015-13 BY THE CITY COUNCIL OF THE CITY OF TAVARES AS RECORDED IN OFFICIAL RECORDS BOOK 4693, PAGES 2436 THROUGH 2443, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; TOGETHER WITH THAT PORTION OF GOVERNMENT LOT 10 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; TOGETHER WITH THAT PORTION OF THE FORMER ATLANTIC COAST LINE RAILROAD LYING IN SAID GOVERNMENT LOT 10, ALL BEING IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST AND SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT NORTHEAST CORNER OF SAID SECTION 1; THENCE ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATES, EAST ZONE, S00°59'22"W ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 1 FOR 1979.90 FEET; THENCE DEPARTING SAID EAST LINE, N89°11'36"W FOR 33.21 FEET TO THE SOUTHEAST CORNER OF LOT 73, ACCORDING TO LANE PARK RIDGE PHASE A, AS RECORDED IN PLAT BOOK 59, PAGES 52 THROUGH 54, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AND THE POINT OF BEGINNING; THENCE S13°22'19"E FOR 80.76 FEET; THENCE S00°31'03"W FOR 550.33 FEET TO A POINT ON THE NORTH LINE OF AN ACCESS ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 4732, PAGE 1956, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE S89°28'57"E ALONG SAID NORTH LINE FOR 482.12 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 45.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 70.69 FEET TO A POINT OF NON-TANGENT; THENCE N02°39'46"W FOR 180.25 FEET; THENCE N00°31'03"E FOR 850.02 FEET; THENCE N44°28'57"W FOR 82.55 FEET TO THE SOUTHERLY RIGHT OF WAY LINE FOR SLIM HAYWOOD AVENUE AS SHOWN ON SAID LANE PARK RIDGE PHASE A; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING SIX (6) COURSES: N50°01'18"E FOR 21.54 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 200.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40°32'23" FOR A DISTANCE OF 141.51 FEET TO THE POINT OF TANGENCY; THENCE S89°26'19"E FOR 245.86 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 250.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°02'20" FOR A DISTANCE OF 165.98 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 175.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°25'45" FOR A DISTANCE OF 117.38 FEET TO A POINT OF NON-TANGENT; THENCE S89°13'56"E FOR 95.51 FEET TO THE WEST LINE FOXBOROUGH AS RECORDED IN PLAT BOOK 54, PAGES 33 AND 34, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE

S00°49'02"W ALONG SAID WEST LINE FOR 470.08 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE WEST RIGHT OF WAY LINE OF AN UNNAMED ROAD AS SHOWN ON AFORESAID PLAT OF LAND OF LANE AND JACKSON AND OTHERS; THENCE S01°03'31"W ALONG SAID WEST RIGHT OF WAY LINE FOR 1256.29 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE FORMER ATLANTIC COAST LINE RAILROAD AS SHOWN ON THE RIGHT OF WAY AND TRACK MAP, ATLANTIC COAST LINE RAILROAD COMPANY, LANE PARK BRANCH, STATION 422+40 TO STATION 500+56, DATED REVISED JUNE 30, 1920, AND BEING ON FILE AT C.S.X. RAILROAD, JACKSONVILLE, FLORIDA; THENCE S54°00'47"W ALONG SAID WESTERLY RIGHT OF WAY LINE FOR 374.63 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1482.68 FEET; THENCE CONTINUE SOUTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°15'10" FOR A DISTANCE OF 627.61 FEET TO THE INTERSECTION OF SAID WESTERLY RIGHT OF WAY LINE WITH THE NORTH LINE OF GOVERNMENT LOT 10; THENCE S89°17'00"E ALONG SAID NORTH LINE FOR 115.69 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID FORMER ATLANTIC COAST LINE RAILROAD, SAID POINT BEING SITUATED ON A NON-TANGENT CIRCULAR CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1382.68 FEET, TO WHICH A RADIAL LINE BEARS N57°54'43"W; THENCE SOUTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°24'12", FOR A DISTANCE OF 178.66 FEET TO THE INTERSECTION OF SAID EASTERLY RIGHT OF WAY LINE WITH THE WESTERLY RIGHT OF WAY LINE OF MAINTENANCE OF CAMP ROAD AS SHOWN ON THE LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP, DATED OCTOBER 19, 2004, AS RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 64 THROUGH 67, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING SITUATED ON A NON-TANGENT CIRCULAR CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 881.20 FEET, TO WHICH A RADIAL LINE BEARS N62°01'10"W; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE OF MAINTENANCE THE FOLLOWING FOUR (4) COURSES: SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°06'50" FOR A DISTANCE OF 140.17 FEET TO A POINT OF NON-TANGENT; THENCE S19°56'21"W FOR 181.79 FEET; THENCE S19°05'05"W FOR 87.95 FEET TO A POINT SITUATED ON A NON-TANGENT CIRCULAR CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 1190.34 FEET, TO WHICH A RADIAL LINE BEARS S73°30'54"E; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°19'14" FOR A DISTANCE OF 172.87 FEET TO THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4716, PAGE 1121, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE, N89°17'00"W ALONG SAID NORTH LINE FOR 317.85 FEET TO THE WEST LINE OF SAID SECTION 6, SAID LINE ALSO BEING THE WEST LINE OF AFORESAID GOVERNMENT LOT 10; THENCE N00°54'50"E ALONG SAID WEST LINE FOR 192.80 FEET TO THE NORTH RIGHT OF WAY LINE OF VACATED ASTATULA STREET PER OFFICIAL RECORDS BOOK 54, PAGE 93 THROUGH 95, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AS SHOWN ON TOWN PLAT OF LANE PARK, AS RECORDED IN PLAT BOOK 1, PAGE 39, OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, AND ALSO SHOWN ON THE LAKE COUNTY TAX MAP; THENCE DEPARTING SAID WEST LINE, N89°15'38"W ALONG SAID NORTH VACATED RIGHT OF WAY LINE FOR 784.72 FEET TO A POINT ON THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4878, PAGE 648, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N00°31'03"E ALONG SAID EAST LINE FOR 862.68 FEET; THENCE CONTINUE N00°54'04"E ALONG SAID EAST LINE FOR 419.25 FEET TO THE SOUTHEAST CORNER OF TRACT A OF SAID LANE PARK RIDGE PHASE A; THENCE N00°51'02"E ALONG THE EAST LINE OF SAID TRACT A FOR 42.66 FEET TO THE MOST SOUTHERLY CORNER OF TRACT B OF SAID LANE PARK RIDGE PHASE A; THENCE N70°21'18"E ALONG THE SOUTHEASTERLY LINE OF SAID LANE PARK RIDGE PHASE A

FOR 383.25 FEET TO THE SOUTHEAST CORNER OF TRACT C OF SAID LANE PARK RIDGE PHASE A; THENCE N00°55'58"E ALONG THE EAST LINE OF SAID TRACT C FOR 153.40 FEET TO THE NORTHEAST CORNER OF SAID TRACT C; THENCE N89°11'24"W ALONG THE NORTH LINE OF SAID TRACT C FOR 195.00 FEET TO THE SOUTHEAST CORNER OF LOT 37 OF SAID LANE PARK RIDGE PHASE A; THENCE ALONG THE EAST LINE OF LOTS 37 THROUGH 47, OF LANE PARK RIDGE PHASE A THE FOLLOWING THREE (3) COURSES: THENCE N00°58'06"E FOR 89.62 FEET; THENCE N02°03'22"E FOR 348.70 FEET; THENCE N05°44'42"E FOR 222.47 FEET; THENCE DEPARTING SAID EAST LINE, S89°11'36"E ALONG THE SOUTH LINE OF LOTS 68 THROUGH 73 OF SAID LANE PARK RIDGE PHASE A FOR 570.22 FEET TO THE SOUTHEAST CORNER OF SAID LOT 73 AND THE POINT OF BEGINNING.

LESS:

COMMENCE AT THE EAST 1/4 CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; THENCE RUN ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATES, EAST ZONE, ALONG THE EAST LINE OF SAID SECTION 1, ALSO BEING THE WEST LINE OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, SOUTH 00°59'22" WEST A DISTANCE OF 1105.03 FEET TO THE NORTH LINE OF GOVERNMENT LOT 10 OF SAID SECTION 6; THENCE RUN SOUTH 89°17'00" EAST ALONG SAID NORTH LINE A DISTANCE OF 433.18 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD AS SHOWN ON THE "RIGHT OF WAY AND TRACK MAP, ATLANTIC COAST LINE R.R. CO., LANE PARK BRANCH, STATION 422+40 TO STATION 500+56, DATED REVISED JUNE 30, 1920", AND BEING ON FILE AT C.S.X. RAILROAD, JACKSONVILLE, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH LINE SOUTH 89°17'00" EAST A DISTANCE OF 115.69 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID FORMER ATLANTIC COAST LINE RAILROAD; SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1382.68 FEET, TO WHICH A RADIAL LINE BEARS NORTH 57°54'43" WEST; THENCE RUN SOUTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°24'12", AN ARC DISTANCE OF 178.66 FEET TO THE INTERSECTION OF SAID EASTERLY RIGHT OF WAY LINE WITH THE WESTERLY RIGHT OF WAY LINE OF MAINTENANCE OF CAMP ROAD AS SHOWN ON THE "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP, DATED OCTOBER 19, 2004" RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 64 THROUGH 67, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 881.20 FEET, TO WHICH A RADIAL LINE BEARS NORTH 62°01'10" WEST; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE OF MAINTENANCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°06'50", AN ARC DISTANCE OF 140.17 FEET TO A NON-TANGENT POINT; (2) THENCE RUN SOUTH 19°56'21" WEST A DISTANCE OF 181.79 FEET; (3) THENCE RUN SOUTH 19°05'05" WEST A DISTANCE OF 87.95 FEET TO A POINT SITUATED ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 1190.34 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 73°30'54" EAST; (4) THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°19'14", AN ARC DISTANCE OF 172.87 FEET TO THE NORTH BOUNDARY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4716, PAGE 1121, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE RUN NORTH 89°17'00" WEST ALONG SAID NORTH LINE A DISTANCE OF 56.26 FEET TO A POINT ON THE EASTERLY LINE OF LANDS DESCRIBED IN EXHIBIT 'A' OF THE CITY OF TAVARES ORDINANCE 2004-06 PASSED AND ORDAINED ON MAY 5, 2004, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE

WESTERLY, HAVING A RADIUS OF 2,306.26 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 66°23'59" EAST, THENCE RUN ALONG SAID EASTERLY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 4°44'14" AN ARC DISTANCE OF 190.69 FEET TO A POINT OF TANGENCY; (2) THENCE RUN NORTH 18°51'41" EAST A DISTANCE OF 242.52 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,231.30 FEET; (3) THENCE RUN NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 7°44'04" AN ARC DISTANCE OF 166.21 TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AN ACCESS ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 4732, PAGES 1956 THROUGH 1965, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY LINE RUN NORTH 14°53'05" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 20.11 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH 59°53'05" WEST A DISTANCE OF 33.00 FEET TO A POINT ON THE AFORESAID WESTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1482.69 FEET, TO WHICH A RADIAL LINE BEARS NORTH 64°50'18" WEST; THENCE RUN NORTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°35'55", AN ARC DISTANCE OF 119.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 86.58 ACRES, MORE OR LESS.

EXHIBIT “B”

PLAN OF TERMINATION FOR THE LEELA RESERVE COMMUNITY DEVELOPMENT DISTRICT

1. PURPOSE. The purpose of this Plan of Termination is to provide a plan for the orderly dissolution and termination of the Leela Reserve Community Development District (the “District”).

2. AUTHORITY. Section 190.046(10), Florida Statutes, provides that: “If a district has no outstanding financial obligations and no operating or maintenance responsibilities, upon the petition of the district, the district may be dissolved by a nonemergency ordinance of the general-purpose local governmental entity that established the district...” Section 190.046(10), Florida Statutes (2022).

3. SERVICES. The District currently has no employees. The District has hired, as an independent contractor, Government Management Services – Central Florida, LLC as District Manager to provide for the day-to-day operations of the District and other administrative, accounting, records and bookkeeping services. The law firm of Latham, Luna, Eden & Beaudine, LLP has been retained by the District as District Counsel to provide general legal services to the District. The District currently does not provide any community development services to the owners of lands within the boundaries of the District. The District Manager and District Counsel will continue to act on behalf of the District for the sole purposes of filing any final reports or other documents on behalf of the District that are required by law, and for performing any and all other actions on behalf of the District for the effective dissolution of the District. Prior to the District submitting to the City of Tavares, Florida (the “City”) the District’s resolution and petition requesting termination of the District, Park Square Enterprises, LLC (the “Developer”) will pay all outstanding District expenses, including, among others, invoices from the District Manager, District Counsel and District Engineer. Upon the District’s dissolution, a final invoice will be provided to the Developer for the actual expenses associated with the termination process.

4. ASSETS AND LIABILITIES. The District owns no real property, infrastructure or other assets. Other than accounts payable for operational expenses of the District as described above, the District has no liabilities and no debt service expenses as of December 14, 2022.

5. MAINTENANCE RESPONSIBILITIES. The District has no ongoing operating or maintenance responsibilities.

6. CONTRACTUAL OBLIGATIONS OF THE DISTRICT.

(A) All contractual obligations shall be addressed as follows:

- (1) The District’s agreement with the firm of Governmental Management Services – Central Florida, LLC to serve as District Manager shall terminate upon the effective date for the dissolution of the District. The District Manager will obtain, on behalf of the

District, an appropriate termination agreement and evidence of payment from Governmental Management Services – Central Florida, LLC.

- (2) The District's agreement with the firm of Latham, Luna, Eden & Beaudine, LLP to serve as District Counsel shall terminate upon the effective dissolution of the District. The District Manager will obtain an appropriate termination and evidence of payment from Latham, Luna, Eden & Beaudine, LLP.
- (3) Prior to submitting to the City the resolution and petition requesting dissolution, the District Manager on behalf of the District shall terminate any other pending District service agreements, including the District's agreement with (i) the firm of Akerman LLP to serve as Bond Counsel, and (ii) MBS Capital Markets, LLC to serve as Underwriter, by sending notice of termination to, and obtaining an appropriate release(s) from, each of these contractors and/or consultants.
- (4) The District's agreement with the firm of Halff Associates, Inc. for Professional Engineer Services shall terminate upon the effective date for the dissolution of the District. The District Manager will obtain an appropriate termination agreement and evidence of payment from Halff Associates, Inc.
- (5) The District's Website Compliance Agreement with BBM America, LLC, d/b/a ReAlign Web Design for website services shall terminate upon the effective date for the dissolution of the District. The District Manager will obtain an appropriate termination agreement and evidence of payment from BBM America, LLC, d/b/a ReAlign Web Design.

7. FINANCE. Prior to the effective dissolution of the District, the Developer will pay all other outstanding accounts of the District, if any.

8. NOTICE OF DISSOLUTION. District Counsel shall file a Notice of Dissolution of the Leela Reserve Community Development District in the Official Records of Lake County, Florida including a reference to the Notice of Establishment. District Counsel or the City shall transmit a copy of the Ordinance passed by the City terminating the District to the Florida Department of Community Affairs.

9. MODIFICATION OF THE PLAN OF TERMINATION. The District's Board of Supervisors may modify this Plan of Termination by Resolution no later than 10 days prior to the effective date of any ordinance of the City terminating the District. Copies of any modifications shall be transmitted to the City.

10. OFFICIAL DISTRICT RECORDS. All official records of the District shall be transferred to the Florida Secretary of State by the District Manager. However, such a transfer of

official District records shall not occur as long as the District has an obligation, under any law, to keep and maintain any such official District record. If any official record of the District cannot be transferred prior to the dissolution of the District, then the failure by the District Manager to transfer such a record shall not cause this Plan of Termination to not be completed within the time permitted. Any such record shall be transferred by the District Manager to the Florida Secretary of State as soon as is practicable after the dissolution of the District, in accord with this Plan of Termination.

11. OPERATION OF THIS PLAN OF TERMINATION. This Plan of Termination shall become effective upon adoption of a Resolution by the District's Board of Supervisors approving this Plan of Termination. After complying with the terms of this Plan of Termination, the District will be dissolved without any further action upon the effective dissolution date set forth in a City ordinance dissolving or terminating the District.

12. CONSTRUCTION OF PLAN OF TERMINATION. This Plan of Termination shall be construed liberally to accomplish the smooth and orderly dissolution of the District.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 10

SUBJECT TITLE: Renewal of Automatic Aid Agreement for Fire Protection and Other Emergency Services Between the City of Tavares and the City of Leesburg (Fire)

OBJECTIVE:

The objective of this agenda item is to present to Tavares City Council for their consideration, the renewal of the automatic-aid agreement for fire protection and emergency services between the City of Tavares and the City of Leesburg, and seeking City Council approval of the renewal.

SUMMARY:

Tavares Fire Department has an automatic aid agreement currently with Leesburg Fire Department. The latest agreement was authorized and has been in place since August 2016. The agreement is due on a normal cycle, to be renewed. Tavares city staff (the Fire Chief) is now presenting a draft agreement for renewal.

The agreement presented for current consideration is basically the same as the 2016 agreement. However, the draft renewal now presented has two changes. Those two changes are:

Change 1 - The current agreement from 2016 includes a 5-year renewal cycle. The proposed renewal agreement has been amended to an automatic annual renewal, with a caveat that allows for either party to revise or terminate the agreement through a described process.

Change 2 - The current agreement from 2016 included language that allowed automatic aid for any emergency response. The proposed renewal agreement has been amended to allow for automatic aid for emergency responses that are in the dispatch levels of "Delta" and "Echo". Delta and Echo responses are those emergency responses and requests for service of a high acuity, or more serious type of emergency response. Delta and Echo calls include structure fires and cardiac arrests. History and experience have shown that responses to the high acuity calls is sufficient, appropriate, and preferred, for our agreement with Leesburg.

There currently exists, and will continue to exist, between Leesburg and Tavares Fire Departements, a robust, state-mandated, mutual-aid agreement. Fire and emergency medical services between Leesburg and Tavares always have the ability to request each other's assistance, without a requirement for reimbursement, through that mutual aid agreement, for every level of emergency response, even if the automatic-aid agreement is not applicable.

OPTIONS:

Option 1: City Council may approve the renewal of the Automatic Aid Agreement for Fire Protection and Other Emergency Services Between the City of Tavares and the City of Leesburg, as presented herein, authorizing the City Clerk, City Attorney, and the Mayor to affix signatures to the agreement renewal.

Option 2: City Council may decline the renewal of the agreement by taking no action, and provide Staff with alternative direction.

STAFF RECOMMENDATION:

Staff recommends that City Council move and approve the renewal of the Automatic Aid Agreement for Fire Protection and Other Emergency Services Between the City of Tavares and the City of Leesburg, as presented herein, authorizing the City Clerk, City Attorney, and the Mayor to affix signatures to the agreement renewal.

FISCAL IMPACT:

There is no fiscal impact attached directly from this agenda item.

There is fiscal / dollar value to the fire service provided from one municipality to the other, but that value is provided in both directions as Tavares Fire Department and Leesburg Fire Department respond with each other, and into each other's jurisdictions, for emergency service.

LEGAL SUFFICIENCY:

This agenda item has been submitted to the City Attorney for legal review.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Automatic Aid Amt - City of Leesburg 2023

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 11

SUBJECT TITLE: Wooton Wonderland Playground Dedication Plaque (Public Works)

OBJECTIVE:

Council to select which wording option is desired for the Wooton Wonderland Playground Dedication Plaque.

SUMMARY:

The Wooton Wonderland Project will be completed by the end of June, 2023, and City staff is seeking Council's direction regarding which wording option is depicted on the Wooton Wonderland Playground Dedication Plaque. The proposed options and layout are depicted below:

**WOOTON WONDERLAND
Rebuild Accomplished July 2023**

(1)"When the magic of a playground becomes reality, all boundaries go by the wayside and a child's imagination takes flight. Those acknowledged here dared to soar while envisioning a safe and vibrant playground for all to enjoy, regardless of age and ability. This inclusive space is intended to foster the creativity of adults and children to take flight. The journey of the imagination knows no boundaries for those who visit Wooton Wonderland."

Or

(2)"When the magic of a playground becomes reality, all boundaries go by the wayside and a child's imagination takes flight. Those acknowledged here dared to soar while envisioning a safe and vibrant playground for all to enjoy, regardless of age and ability. This inclusive space is intended to foster the creativity of adults and children to take flight. The journey of the imagination is limitless when visiting Wooton Wonderland."

TAVARES CITY COUNCIL

Bob Grenier
Lori Pfister
Sandy Gamble
Troy Singer
Walter B. Price, Sr.

LAKE COUNTY BOARD OF COUNTY COMMISSIONERS

Douglas B. Shields
Josh Blake
Kirby Smith
Leslie Campione
Sean M. Parks

CITY OF TAVARES ADMINISTRATION

City Administrator, John Drury
Director of Public Works, James D. Dillon
Parks Operations Manager, Traci Anderson

ARCHITECT OF RECORD

C. Elisabeth Manley, PLA

CONTRACTOR

Marbek Construction Company

OPTIONS:

Option 1 - Council Approves Option (1) "When the magic of a playground becomes reality, all boundaries go by the wayside and a child's imagination takes flight. Those acknowledged here dared to soar while envisioning a safe and vibrant playground for all to enjoy, regardless of age and ability. This inclusive space is intended to foster the creativity of adults and children to take flight. The journey of the imagination knows no boundaries for those who visit Wooton Wonderland."

Option 2 - Council Approves Option (2) "When the magic of a playground becomes reality, all boundaries go by the wayside and a child's imagination takes flight. Those acknowledged here dared to soar while envisioning a safe and vibrant playground for all to enjoy, regardless of age and ability. This inclusive space is intended to foster the creativity of adults and children to take flight. The journey of the imagination is limitless when visiting Wooton Wonderland."

STAFF RECOMMENDATION:

Option 1 - Council Approves Option (1) "When the magic of a playground becomes reality, all boundaries go by the wayside and a child's imagination takes flight. Those acknowledged here dared to soar while envisioning a safe and vibrant playground for all to enjoy, regardless of age and ability. This inclusive space is intended to foster the creativity of adults and children to take flight. The journey of the imagination knows no boundaries for those who visit Wooton Wonderland."

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 12

SUBJECT TITLE: Update on Tavares-Mount Dora Trail (City Administrator)

OBJECTIVE:

Deliver an update from the Horizon Team on the Trail to Mount Dora

SUMMARY:

There exists a Horizon Team made up of Council Member Troy Singer, City Administrator John Drury and Public Works Director James Dillon regarding the Trail from Tavares to Mount Dora who present this update for the Council's benefit. Lake County is exploring a shift of the trail location from the Rail Right of Way to the Road Right of Way along Old 441 due to CSX Railroad's change of position from wanting to sell the line to Lake County to no longer wanting to sell the line to Lake County. Once the County completes its exploration, the Horizon team will provide a further update on this project.

OPTIONS:

Receive the update on the trail

STAFF RECOMMENDATION:

receive the update on the exploration

FISCAL IMPACT:

none

LEGAL SUFFICIENCY:

yes

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 13

SUBJECT TITLE: Lake County Joint Planning Work Group with Cities (Community Development)

OBJECTIVE:

Staff presentation on the Lake County Joint Planning Work Group with Cities (Community Development)

SUMMARY:

Lake County is hosting a series of “How Shall We Grow”? meetings with cities and the public. The purpose of the joint planning work group meetings is for the Lake County Board of County Commissioners and all 14 municipalities to work together on a vision for future development in Lake County. The work group is working to develop a strategy for promoting growth in targeted urban areas while focusing on maintaining the unique qualities of rural Lake County. This collaborative effort would provide a cohesive plan for future development in all unincorporated and incorporated areas of the county. City Council members, City Administrator and City Planning staff are attending these meetings which occur every several months at different locations around the County. Recently, the Mayor and Community Development Director attended in Clermont where the discussion centered around conservation areas in Lake County that are delineated in the Florida Natural Areas Inventory (FNAI). An opportunity is provided to discuss this initiative and provide any input going forward to future meetings from the City Council’s perspective.

OPTIONS:

1. City Council discussion and direction of staff regarding future joint planning meetings with Lake County.
2. No discussion.

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Joint Planning Agreement - Project Overview / Timeline
2. Lake County Conservation Maps - FNAI

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 14

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

The City Administrator will inform the Council on city-related items.

SUMMARY:

The City Administrator will provide a summary at the meeting.

UPCOMING MEETINGS:

City Council Meetings	May 17, 2023, 4:00 p.m., Tavares City Council Chambers
Planning and Zoning Board Meeting	May 18, 2023, 3:00 p.m., Tavares City Council Chambers
Library Board Meeting	May 10, 2023, 4:00 p.m., Tavares Library Conference Room
Code Enforcement Special Magistrate Hearing	May 23, 2023, 4:00 p.m., Tavares City Council Chambers

OUTSIDE AGENCY MEETINGS:

Lake County League of Cities Meeting	May 12, 2023, 12:00 noon, Mount Dora Golf Course
Lake Sumter MPO Governing Board Meeting	June 21, 2023, 2:00 p.m., Suite 175, 1300 Citizens Boulevard, Leesburg
Tavares Chamber of Commerce Business Meeting	May 24, 2023, 11:30 a.m., Tavares Pavilion on the Lake

CITY EVENTS:

The current 2023 City Event calendar is attached.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Tavares_2023_EventCalendar_4.19.2023

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/3/2023**

AGENDA TAB NO.: 15

SUBJECT TITLE: City Council Member Reports

OBJECTIVE:

To inform the Council on city-related items.

SUMMARY:

The Council will be offered an opportunity to provide a report at the meeting.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.